

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

RECEIVED

JAN 03 2012

Case No. 2007-CP-42-4601

SC Court of Appeals

Lawrence E. Morrow and Evelyn M. Morrow,

Appellants/Respondents,

v.

Fundamental Long-Term Care Holdings, LLC;
Fundamental Clinical Consulting, LLC; Fundamental
Administrative Services, LLC; THI of Baltimore, Inc.;
THI of South Carolina, LLC; THI of Baltimore
Management, LLC; THI of South Carolina at Magnolia
Place at Spartanburg, LLC d/b/a Magnolia Place at
Spartanburg,

Defendants,

Of whom Fundamental Long-Term Care Holdings, LLC;
Fundamental Clinical Consulting, LLC; Fundamental
Administrative Services, LLC; THI of Baltimore, Inc.;
THI of South Carolina, LLC; and THI of South Carolina
at Magnolia Place at Spartanburg, LLC d/b/a Magnolia Place
at Spartanburg are,

Respondents/Appellants.

MOTION FOR EXTENSION OF TIME TO FILE AND SERVE
RESPONDENTS/APPELLANTS' INITIAL APPELLANTS' BRIEF

1-9-12 R/A
2-3-12 1st

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

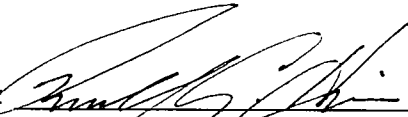
COME NOW the Respondents/Appellants above captioned, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move this Honorable Court for a 30-day extension of time to file and serve their Initial Appellants' Brief and Designation of Matters to be included in the Record on Appeal.

This is a cross-appeal. Pursuant to Rule 206, SCACR, the Respondents/Appellants realize that the Court may wish to establish a briefing schedule. A briefing scheduling having not yet been established, however, and the Respondents/Appellants having received the transcript(s) relevant to this matter, the last of which having been received on December 5, 2011, to the extent that the Respondents/Appellants' Initial Appellants' Brief and corresponding Designation of Matters are, in accordance with Rule 208(a)(1), SCACR, due to be filed and served 30 days from December 5, 2011 (i.e., on or before January 4, 2012), the Respondents/Appellants respectfully request an extension of 30 days' time. Such extension is requested in light of other work-related time commitments as well as the recent holidays. The Respondents/Appellants do not believe that such extension will work any undue prejudice upon any other party to this matter.

WHEREFORE, the Respondents/Appellants submit that good cause exists for this Court to allow them until February 3, 2012 to file and serve their Initial Appellants' Brief and corresponding Designation of Matters to be included in the Record on Appeal.

Respectfully submitted,

YOUNG CLEMENT RIVERS LLP

By: 

D. Jay Davis, Jr. (S.C. Bar No. 6723)
William L. Howard, Sr. (S.C. Bar No. 1967)
Russell G. Hines (S.C. Bar No. 72100)
P.O. Box 993
Charleston, SC 29402
Telephone: (843) 577-4000

and

JOHNSON, TRENT, WEST & TAYLOR,
LLP

Lori D. Proctor (S.C. Bar No. 80117)
919 Miliam Street, Suite 1700
Houston, Texas 77002
Telephone: (713) 977-7070

Attorneys for the Respondents/Appellants

Charleston, South Carolina

Dated: 12/30/11

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Spartanburg County
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Case No. 2007-CP-42-4601

Lawrence E. Morrow and Evelyn M. Morrow,

Appellants/Respondents,

v.

Fundamental Long-Term Care Holdings, LLC;
Fundamental Clinical Consulting, LLC; Fundamental
Administrative Services, LLC; THI of Baltimore, Inc.;
THI of South Carolina, LLC; THI of Baltimore
Management, LLC; THI of South Carolina at Magnolia
Place at Spartanburg. LLC d/b/a Magnolia Place at
Spartanburg,

Defendants,

Of whom Fundamental Long-Term Care Holdings, LLC;
Fundamental Clinical Consulting, LLC; Fundamental
Administrative Services, LLC; THI of Baltimore, Inc.;
THI of South Carolina, LLC; and THI of South Carolina
at Magnolia Place at Spartanburg, LLC d/b/a Magnolia Place
at Spartanburg are,

Respondents/Appellants.

PROOF OF SERVICE

Case No. 2007-CP-42-4601

I, Russell G. Hines, do hereby certify that a copy of the Respondents/Appellants' **Motion for Extension of Time to File and Serve Respondents/Appellants' Initial Appellants' Brief** was sent to counsel for the Appellants/Respondents (i.e., counsel for all respondents/adverse parties to the Respondents/Appellants' appeal) via United States Mail, postage pre-paid on December 30, 2011 addressed as follows:

Gary W. Poliakoff, Esquire
Raymond P. Mullman, Esquire
Poliakoff & Associates, P.A.
P.O. Box 1571
Spartanburg, SC 29304

and

M. Chad Trammell, Esquire
The Trammell Law Firm, P.L.L.C.
418 N. State Line Avenue
Texarkana, AR 71854

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,

YOUNG CLEMENT RIVERS LLP

By:  _____

D. Jay Davis, Jr. (S.C. Bar No. 6723)
William L. Howard, Sr. (S.C. Bar No. 1967)
Russell G. Hines (S.C. Bar No. 72100)
P.O. Box 993
Charleston, SC 29402
Telephone: (843) 577-4000

and

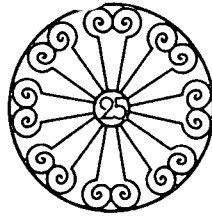
JOHNSON, TRENT, WEST & TAYLOR,
LLP

Lori D. Proctor (S.C. Bar No. 80117)
919 Miliam Street, Suite 1700
Houston, Texas 77002
Telephone: (713) 977-7070

Attorneys for the Respondents/Appellants

Charleston, South Carolina

Dated: 12/30/11



YCR LAW
Young Clement Rivers, LLP

Aimee M. Justman
Legal Assistant

Direct Dial: (843) 720-5460
Direct Fax: (843) 579-1385
E-mail: Ajustman@ycrlaw.com

December 30, 2011

The Honorable Tanya A. Gee
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED
JAN 03 2012

SC Court of Appeals

Re: Lawrence E. Morrow and Evelyn M. Morrow vs. Fundamental Long-Term Care Holdings, LLC; Fundamental Clinical Consulting, LLC; Fundamental Administrative Services, LLC; THI of Baltimore, Inc.; THI of South Carolina, LLC; THI of Baltimore Management, LLC; THI of South Carolina at Magnolia Place at Spartanburg, LLC d/b/a Magnolia Place at Spartanburg
Case No.: 2007-CP-42-4601
Claim No.: AIG Claim# 027-089-388/ HBLM# 0723767
YCR File: 14347-20100252

Dear Ms. Gee:

Enclosed for filing in the above referenced matter, please find the original and seven (7) copies of a Motion for Extension of Time to File and Serve Respondents/Appellants' Initial Appellants' Brief. Also enclosed is the original and one (1) copy of the Proof of Service regarding the same, and a check in the amount of \$25.00 to cover the costs associated with this request.

Please return one (1) court stamped copy of each document to me using the pre-stamped envelope provided. With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Aimee M. Justman
Legal Assistant

/amj

Enclosures

cc: M. Chad Trammell, The Trammell Law Firm, PLLC
Gary W. Poliakoff, Esquire, Poliakoff & Associates, P.A.
Raymond P. Mullman, Jr., Esquire, Poliakoff & Associates, PA
Lori D. Proctor, Esquire, Johnson, Trent, West & Taylor, LLP