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September 14, 2015

VIA HAND DELIVERY

The Honorable Daniel E. Shearouse  
Clerk of the South Carolina Supreme Court  
1231 Gervais Street  
Columbia, South Carolina 29201

RECEIVED

SEP 14 2015

S.C. Supreme Court

RE: *Joseph Azar, Frank J. Cumberland, and Michael A. Letts v. City of Columbia*  
Appellate Case Number 2014-000032

Dear Mr. Shearouse:

Respondent City of Columbia's deadline to file a Petition for Rehearing in the above-captioned matter is currently September 24, 2015. The City respectfully requests an extension of 15 days in which to file its Petition, making the deadline to file its Petition extended to October 8, 2015. Opposing counsel have consented to this request, as shown in the attached email communication.

Enclosed are seven copies of this motion along with a check for the motion filing fee of \$25.00 and a certificate of service. Appellant has been served by copy of this letter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "M. McMullen Taylor".

M. McMullen Taylor

cc: Dixon Lee, Esq.  
Gene Connell, Esq.

## Mullen Taylor

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**From:** Gene Connell <gconnell@classactlaw.net>  
**Sent:** Monday, September 14, 2015 7:34 AM  
**To:** Mullen Taylor LLC  
**Subject:** Re: Request for Extension

Okay I agree.

Sent from my iPhone

On Sep 13, 2015, at 6:48 PM, Mullen Taylor LLC <[mmt@mullentaylorllc.com](mailto:mmt@mullentaylorllc.com)> wrote:

Thanks. If you would, please reply to my original email saying that you consent to my motion for an extension.

MT

Sent from my iPhone

On Sep 13, 2015, at 6:03 PM, Gene Connell <[gconnell@classactlaw.net](mailto:gconnell@classactlaw.net)> wrote:

Okay

Sent from my iPhone

On Sep 13, 2015, at 5:36 PM, Mullen Taylor LLC <[mmt@mullentaylorllc.com](mailto:mmt@mullentaylorllc.com)> wrote:

I just consented to an extension of time to file a petition for rehearing in another case, which the court granted. So it is doable.

Sent from my iPhone

On Sep 13, 2015, at 4:54 PM, Gene Connell <[gconnell@classactlaw.net](mailto:gconnell@classactlaw.net)> wrote:

Mullen-I don't think you can get an extension on that type of motion-it is jurisdictional-I am happy to agree but don't think it helps you I suggest you call the court and ask if it is possible-

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**From:** Mullen Taylor [<mailto:mmt@mullentaylorllc.com>]  
**Sent:** Saturday, September 12, 2015 12:12 PM  
**To:** Gene Connell; Dixon Lee  
**Subject:** Request for Extension

Gene and Dixon,

I hope you're doing well. I'm looking at the upcoming deadline for the City of Columbia to file a petition for rehearing of the Supreme Court's opinion issued September 9, 2015, which is due on September 24, 2015. Would you please consent to a 15 day extension request for that deadline, which would make the City's deadline to file a petition for rehearing Friday, October 9, 2015? I have been out of town at a conference and have several deadlines over the next 15 days. I'd appreciate your accommodation of my schedule.

Thanks for considering, and I look forward to hearing from you. I'd like to file a motion by Tuesday.

Mullen

<image001.png>

**M. McMullen Taylor**  
Post Office Box 8567  
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(Physical address: 1230 Richland Street 29201)  
803-254-1344  
[mmt@MullenTaylorLLC.com](mailto:mmt@MullenTaylorLLC.com)

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THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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RECEIVED

SEP 14 2015

APPEAL FROM RICHLAND COUNTY  
COURT OF COMMON PLEAS

S.C. Supreme Court

The Honorable G. Thomas Cooper  
The Honorable J. Ernest Kinard

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Case No. 2011-CP-40-6705  
Appellate Case Number 2014-000032

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JOSEPH S. AZAR, FRANK J. CUMBERLAND, JR., AND  
MICHAEL A. LETTS, INDIVIDUALLY AND  
AS CLASS REPRESENTATIVES,.....APPELLANTS,

v.

CITY OF COLUMBIA, .....RESPONDENT.

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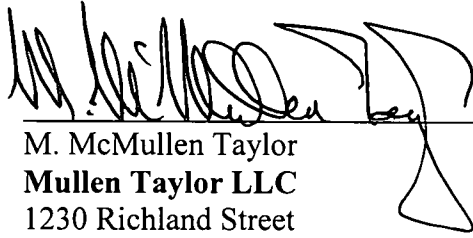
**CERTIFICATE OF SERVICE**

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I certify that I have served upon Appellant's counsel Respondent's letter motion seeking an extension of time to file petition for rehearing by depositing a copy of it in the United States Mail, postage prepaid, and by electronic mail, on the 14th day of September, 2015, addressed to counsel of record, as follows:

C. Dixon Lee, III, Esq. ([dlee@mclarenandlee.com](mailto:dlee@mclarenandlee.com))  
**McLaren & Lee**  
1508 Laurel Street  
Post Office Box 11809  
Columbia, South Carolina 29211

Gene M. Connell, Jr., Esq. ([gconnell@classactlaw.net](mailto:gconnell@classactlaw.net))  
**Kelahr, Connell & Connor, P.C.**  
The Courtyard  
1500 U.S. Highway 17 North, Suite 209  
Surfside Beach, South Carolina 29587



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