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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY
In the Court of Common Pleas for the Ninth Circuit

SEP 25 2015
SC Court of Appeals

Roger M. Young, Circuit Court Judge

Appellate Case No. 2015-001809

Skywaves I Corporation.....Appellant/Respondent

v.

Branch Banking & Trust Company, successor in merger to
Branch Banking and Trust Company of SC, a/k/a BB&T,
and James Edahl..... Defendants

Of which Branch Banking & Trust Company, successor in
merger to Branch Banking and Trust Company of SC, a/k/a
BB&T is theRespondent/Appellant

AND

Of whom James Edahl is theRespondent

CONSENT MOTION OF APPELLANT/RESPONDENT FOR EXTENSION
OF TIME TO FILE AND SERVE RETURNS TO MOTIONS

AND NOW COMES Appellant-Respondent Skywaves I Corporation ("Skywaves") pursuant to S.C.A.C.R., Rule 240(e), and files the following Consent Motion for Extension of Time to File and Serve Returns to Motions and hereby requests an extension of time of seven (7) days from September 28, 2015 in which to file and serve its Returns to certain Motions filed by Respondent and Respondent/Appellant.

1. According to the proofs of service, on September 16, 2015, Respondent and Respondent/Appellant served the following motions in this appeal (collectively "Motions"):

- (a) Joint Motion of Respondent/Appellant and Respondent to Strike Appellant/Respondent's Amended and Supplemental Notice of Appeal; and
- (b) Joint Motion of Respondent/Appellant and Respondent for Stay of Appeal Pending Resolution of the Joint Motion of Respondent/Appellant and Respondent to Strike Appellant/Respondent's Amended and Supplemental Notice of Appeal.

2. Under S.C.A.C.R., Rule 240(e), Skywaves' return to the Motions would be due by Monday September 28, 2015.

3. Skywaves' counsel received the Motions on Monday September 21, 2015.

4. In order to adequately prepare Skywaves' returns to the Motions, Skywaves' respectfully requests a short extension of seven (7) days to file and serve its returns.

5. If Skywaves' request for an extension is granted, its returns to the Motions would be due on Monday October 5, 2015.

6. This is Skywaves' first request for an extension of time to file and serve returns to the Motions.

7. Counsel for Respondent and for Respondent/Appellant have graciously consented to the relief requested herein, as set forth in Exhibits A and B hereto.

Therefore, for the foregoing reasons, Skywaves respectfully requests, with the consent of opposing counsel, a one-week extension of time to serve and file its return to the Motions set forth above.

September 24, 2015

BARNWELL WHALEY PATTERSON &
HELMS, LLC

By: 

M. Dawes Cooke, Jr., Esq.
John W. Fletcher, Esq.
288 Meeting Street, Ste 200
Charleston, SC 29401
(843) 577-7700 Fax: (843) 577-7708

George J. Kefalos, Esq.
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Brian C. Duffy, Esq.
John P. Linton, Esq.
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(843) 720-2044 Fax: (843) 720-2047

Andrew K. Epting, Jr., Esq.
Andrew K. Epting, Jr., LLC
46A State Street
Charleston, SC 29401

Exhibit A

Julia Childers

From: Cherry, Molly Hughes <MCherry@nexsenpruet.com>
Sent: Thursday, September 24, 2015 9:19 AM
To: J. W. Nelson Chandler; John Fletcher; Mendoza, Rick; Small, Kirsten E.
Cc: M. Dawes Cooke; jlinton@duffyandyoung.com; ake@epting-law.com; George@kefaloslaw.com; bduffy@duffyandyoung.com
Subject: RE: Skywaves Appeal

Same here, John. I consent for BB&T.

Molly

From: J. W. Nelson Chandler [<mailto:nelson@corriganhandler.com>]
Sent: Thursday, September 24, 2015 9:02 AM
To: John Fletcher; Cherry, Molly Hughes; Mendoza, Rick; Small, Kirsten E.
Cc: M. Dawes Cooke; jlinton@duffyandyoung.com; ake@epting-law.com; George@kefaloslaw.com; bduffy@duffyandyoung.com
Subject: RE: Skywaves Appeal

Good morning. I consent for Mr. Edahl.
Nelson

From: John Fletcher [<mailto:jfletcher@barnwell-whaley.com>]
Sent: Thursday, September 24, 2015 8:58 AM
To: J. W. Nelson Chandler; mcherry@nexsenpruet.com; rmendoza@nexsenpruet.com; ksmall@nexsenpruet.com
Cc: M. Dawes Cooke; jlinton@duffyandyoung.com; ake@epting-law.com; George@kefaloslaw.com; bduffy@duffyandyoung.com
Subject: Skywaves Appeal

Nelson and Molly,

By my calculation, Skywaves' return to the motions you filed are due by Monday 9/28. I am writing to request your consent to a one-week extension of time to file our return to all pending motions in the Court of Appeals until Monday October 5. Please let me know if you will consent to that request. Thank you in advance for your anticipated courtesy.

John

John W. Fletcher
Attorney



288 Meeting St., Ste. 200 (29401)
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Exhibit B

Julia Childers

From: J. W. Nelson Chandler <nelson@corriganhandler.com>
Sent: Thursday, September 24, 2015 9:02 AM
To: John Fletcher; mcherry@nexsenpruet.com; rmendoza@nexsenpruet.com;
ksmall@nexsenpruet.com
Cc: M. Dawes Cooke; jlinton@duffyandyoung.com; ake@epting-law.com;
George@kefaloslaw.com; bduffy@duffyandyoung.com
Subject: RE: Skywaves Appeal

Good morning. I consent for Mr. Edahl.
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Sent: Thursday, September 24, 2015 8:58 AM
To: J. W. Nelson Chandler; mcherry@nexsenpruet.com; rmendoza@nexsenpruet.com; ksmall@nexsenpruet.com
Cc: M. Dawes Cooke; jlinton@duffyandyoung.com; ake@epting-law.com; George@kefaloslaw.com;
bduffy@duffyandyoung.com
Subject: Skywaves Appeal

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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
In the Court of Common Pleas for the Ninth Circuit

RECEIVED

Roger M. Young, Circuit Court Judge

SEP 25 2015

SC Court of Appeals

Case No. 2009-CP-10-7516

Skywaves I Corporation.....Appellant

v.

Branch Banking & Trust Company, successor in merger to
Branch Banking and Trust Company of SC, a/k/a BB&T,
and James Edahl..... Defendants

Of which Branch Banking & Trust Company, successor in
merger to Branch Banking and Trust Company of SC, a/k/a
BB&T is theRespondent/Appellant

AND

Of whom James Edahl is theRespondent

PROOF OF SERVICE

I certify that I have served the foregoing Consent Motion of Appellant/Respondent for Extension of Time to File and Serve Returns to Motions on the above-referenced Respondent and Respondent/Appellant by depositing a copy of it in the United States Mail, postage prepaid, on September 24, 2015, addressed to their attorneys of record:

Molly Hughes Cherry, Esq.
Nexsen Pruet, LLC
P.O. Box 486
Charleston, SC 29402
(843) 720-1724 Fax: (843) 414-8209

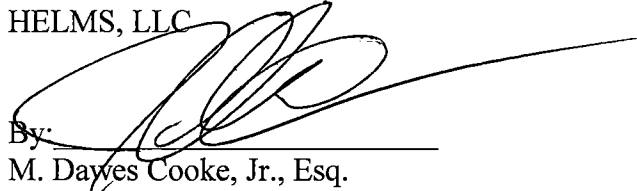
Attorneys for Respondents Branch Banking & Trust Company, successor in merger to Branch Banking and Trust Company of SC, a/k/a BB&T, and James Edahl

Julio E. Mendoza, Esq.
Nexsen Pruet, LLC
1230 Main St., Suite 700 (29201)
Columbia, SC 29202

Attorneys for Respondents Branch Banking & Trust Company, successor in merger to Branch Banking and Trust Company of SC, a/k/a BB&T, and James Edahl

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Attorneys for Respondent James Edahl

BARNWELL WHALEY PATTERSON &
HELMS, LLC

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Other Counsel of Record:

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Attorneys for Respondents Branch Banking & Trust Company, successor in merger to Branch Banking and Trust Company of SC, a/k/a BB&T, and James Edahl

J.W. Nelson Chandler, Esq.
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Charleston, SC 29402
Attorneys for Respondent James Edahl



RECEIVED
SEP 25 2015
SC Court of Appeals

John W. Fletcher, Esquire
jfletcher@barnwell-whaley.com

September 24, 2015

VIA FEDERAL EXPRESS
The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RE: Skywaves I Corporation , Appellant vs. Branch Banking and Trust Company, Successor
in merger to Branch Banking and Trust Company of SC, a,/ka BB&T,
Respondent/Appellant, and James Edahl, Respondent
Appellate Case No.: 2015-001809
BWPH File No.: 3496.001

Dear Ms. Kitchings,

Enclosed for filing please find the original and six (6) copies of a Consent Motion of
Appellant/Respondent for Extension of Time to File and Serve Returns to Motions, Proof of Service,
and our firm's check in the amount of Twenty-Five Dollars (\$25.00) for the filing fee. By copy of this
letter, we are serving a copy of the enclosed Consent Motion upon counsel for Respondent and
Respondent/Appellant.

Sincerely,

M. Dawes Cooke, Jr.
John W. Fletcher

MDCjr/JWF/jgc
Enclosures

cc: Molly Hughes Cherry, Esquire
Julio E. Mendoza, Esquire
J.W. Nelson Chandler, Esquire

M. Dawes Cooke, Jr.
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Ernest B. Lipscomb, III*
J. Gail Rahn
Todd M. Musheff
John A. Jones
Lucinda D. Gardner
John W. Fletcher

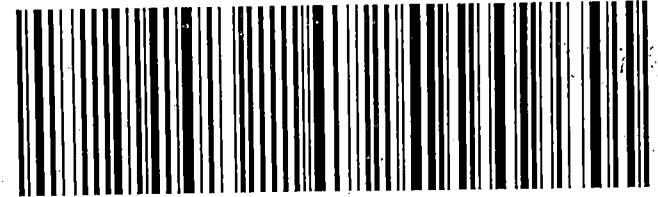
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Barbara J. Wagner, Ph.D.
Jeremy E. Bowers
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Jeffrey M. Bogdan
Bradley B. Baniias

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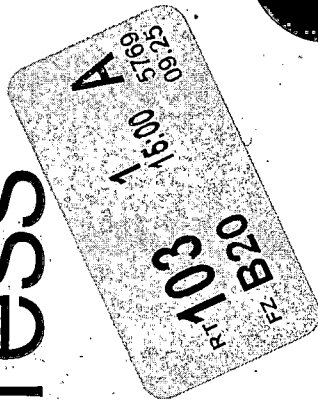
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3 To Recipient's Name The Honorable Jenny Abbott Kitchings Phone 803 734-1890

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