

7-1652

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
Court of Common Pleas  
John C. Hayes III, Circuit Court Judge

RECEIVED

OCT 22 2015

Appellate Case No. 2015-001053  
Case No. 2010-CP-46-02267

SC Court of Appeals

Marjorie Cato Burton as Trustee of the Sloan Marvin  
Burton And Marjorie Cato Burton, AB Living Trust by  
and through David A. Burton as Attorney-in-Fact,  
Individually and in the right and on behalf of T.E. Cato  
Estate, LLC, ..... Appellant,

v.

Carroll M. Pitts, Jr., Esq. and Robinson Bradshaw &  
Hinson, P.A., ..... Respondents.

**SECOND MOTION FOR EXTENSION OF TIME TO FILE  
INITIAL BRIEF OF RESPONDENTS & DESIGNATION OF MATTER**

Pursuant to Rules 208(a)(3) and 240 of the South Carolina Appellate Court Rules,  
Respondents Carroll M. Pitts, Jr., Esq. and Robinson Bradshaw & Hinson, P.A.  
("Respondents"), request a thirty (30) day extension of time to file their Initial  
Respondents' Brief and Designation of Matter in the above-captioned matter. This is the  
second request for an extension of this deadline.

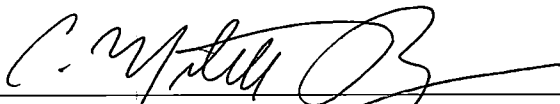
The request is necessitated because the undersigned counsel's court schedule and  
other briefing deadlines will not allow him to complete the Respondents' Initial Brief and  
Designation of Matter within the current deadline. The undersigned had an argument  
before this Court on October 15, 2015 in the matter styled *In re Estate of Eris Singletary  
Smith (Eris Gail Smith v. Judy Smith Jones, et al.)*, Appellate Case No. 2013-002810.  
The undersigned also has an upcoming argument before the Supreme Court of South

Carolina on November 3, 2015 in the matter styled *Francis P. Maybank, et al. v. BB&T Corporation, et al.*, Appellate Case No. 2014-002638. Finally, in addition to these arguments, the undersigned is committed to participating in a panel at the annual meeting of the South Carolina Defense Trial Attorneys Association in conjunction with Chief Justice Toal and Justice Hearn. This meeting is being held out of state from November 5th through 7th, 2015.

Currently, Respondents' Initial Respondents' Brief and Designation of Matter are due on November 13, 2015. With the additional thirty (30) day extension, Respondents' Initial Respondents' Brief and Designation will be due on December 14, 2015, per Rule 263, SCACR. Therefore, Respondents respectfully move this Court for a thirty (30) day extension of time to file their Initial Brief of Respondents and Designation of Matter in this matter until December 14, 2015.

Respectfully submitted,

NELSON MULLINS RILEY & SCARBOROUGH LLP

By:   
C. Mitchell Brown, SC Bar No. 012872  
E-Mail: mjtch.brown@nelsonmullins.com  
A. Mattison Bogan, SC Bar No. 72629  
E-Mail: matt.bogan@nelsonmullins.com  
Blake T. Williams, SC Bar No. 100794  
E-Mail: blake.williams@nelsonmullins.com  
1320 Main Street / 17th Floor  
Post Office Box 11070 (29211-1070)  
Columbia, SC 29201  
(803) 799-2000

Attorneys for Respondents Carroll M. Pitts, Jr., Esq.  
and Robinson Bradshaw & Hinson, P.A.

October 22, 2015  
Columbia, South Carolina

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PROOF OF SERVICE

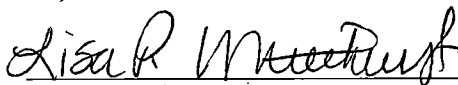
I, the undersigned Administrative Assistant of the law offices of Nelson Mullins  
Riley & Scarborough LLP, attorneys for Respondents, do hereby certify that I have  
served all counsel in this action with a copy of the pleading(s) hereinbelow specified by  
mailing a copy of the same by United States Mail, postage prepaid, to the following  
address(es):

Pleadings:

Second Motion for Extension of Time to File Initial Brief  
of Respondents & Designation of Matter

Counsel Served:

Matthew B. Rosbrugh, Esquire  
MBR Law, LLC  
Post Office Box 292290  
Columbia, SC 29229



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Lisa P. Whitehurst  
Administrative Assistant

October 22, 2015