

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM ADMINISTRATIVE LAW COURT

Hon. Ralph King Anderson, III, Administrative Law Judge

Lower Court Case No. 15-ALJ-07-0258-CC  
Appellate Case No.: 2015-001989

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Appellant,  
SC Court of Appeals

Tract 7, LLC

v.

South Carolina Department of Health and  
Environmental Control, and BP Amoco  
Chemical Company, Cooper River Plant

Respondents.

**RESPONDENTS' THIRD JOINT MOTION FOR EXTENSION OF TIME**

Pursuant to South Carolina Appellate Court Rule 263(b), Respondents BP Amoco Chemical Company ("BP Amoco") and South Carolina Department of Health and Environmental Control ("Respondents"), move for a third extension of thirty (30) days from the existing deadline, February 16, 2016, to file their Initial Briefs in this matter. Respondents request an extension of thirty (30) days to file their Initial Briefs on the grounds that Appellant and BP Amoco have reached a settlement of this matter and need additional time in order to finalize and execute the settlement agreement.

Respondents' Initial Briefs will be due on or before March 16, 2016, if the extension is granted. BP Amoco's counsel has conferred with counsel for Appellant regarding this motion, and Appellant consents to the thirty (30) day extension for both Respondents.

For the reasons set forth herein, Respondents request a thirty (30) day extension to serve and file their Initial Briefs.

Respectfully submitted,



Douglas M. Muller (S.C. Bar No. 10277)  
Lesley A. Firestone (S.C. Bar No. 100080)  
Moore & Van Allen PLLC  
P.O. Box 22828  
Charleston, South Carolina 29413-22828  
Phone: 843-579-7000  
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ATTORNEYS FOR RESPONDENT  
BP AMOCO CHEMICAL COMPANY

February 15, 2016  
Charleston, SC



Nathan M. Haber, SC Bar # 100480  
South Carolina Department of Health and  
Environmental Control  
1362 McMillan Avenue, Suite 400  
Charleston, SC 29405  
(843) 953-0229  
[haberm@dhcc.sc.gov](mailto:haberm@dhcc.sc.gov)  
Attorney for Respondent SCDHEC

January 14, 2016  
Charleston, South Carolina

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM ADMINISTRATIVE LAW COURT

Hon. Ralph King Anderson, III, Administrative Law Judge

Lower Court Case No. 15-ALJ-07-0258-CC  
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Tract 7, LLC

Appellant,

v.

South Carolina Department of Health and  
Environmental Control, and BP Amoco  
Chemical Company, Cooper River Plant

Respondents.

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SC Court of Appeals

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below I served a copy of Respondents' Joint Motion for Extension of Time by placing it in the United States Mail, with sufficient postage thereon and addressed as follows:

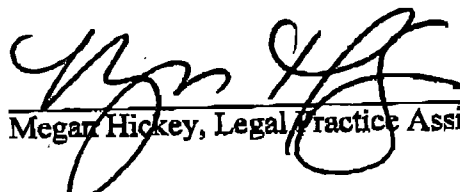
M. Dawes Cooke, Jr.  
D. Summers Clarke, II  
Barnwell Whaley Patterson & Helms, LLC  
288 Meeting Street, Suite 200  
Charleston, SC 29401

*Attorneys for Tract 7, LLC*

Nathan M. Haber  
SCDHEC  
1362 McMillan Avenue, Suite 400  
Charleston, SC 29405

*Attorney for SCDHEC*

February 15, 2016

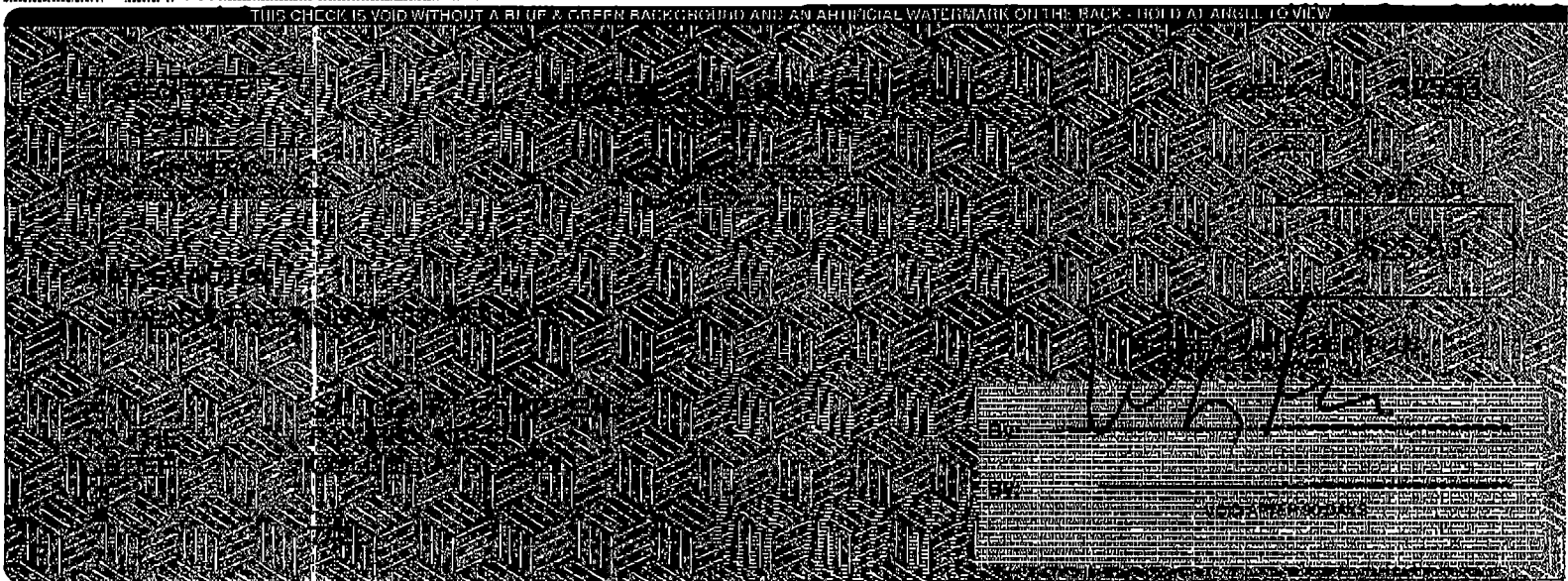
  
Megan Hickey, Legal Practice Assistant

MOORE & VAN ALLEN, PLLC

CHECK NO.: 32533

DATE	VOUCHER #	INVOICE #	GL ACCT #	DESCRIPTION	NET AMOUNT
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THIS CHECK IS VOID WITHOUT A BLUE & GREEN BACKGROUND AND AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW



**Moore & Van Allen**

February 15, 2016

**VIA FACSIMILE & US MAIL**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street - PO Box 11629  
Columbia, South Carolina 29201

**Re: Tract 7, LLC v. SCDHEC and BP Amoco Chemical Company,  
Cooper River Plant; Appellate Case No. 2015-001989  
MVA file No. 039124.5**

**Lesley A. Firestone**  
Attorney at Law

T 843 579 7027  
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**Moore & Van Allen PLLC**

78 Wentworth St.  
Charleston, SC 29401-1428

Mailing Address:  
Post Office Box 22828  
Charleston, SC 29413-2828

Dear Ms. Kitchings:

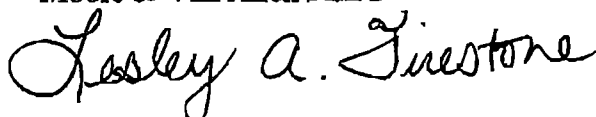
Enclosed for filing please find the original and six (6) copies of the Respondents' Third Joint Motion for Extension of Time in the above-referenced matter as well as a check in the amount of \$25.00 as the required filing fee. Please file the original and return a filed copy to me in the enclosed self-addressed stamped envelope.

By copy of this letter we are serving all parties of record.

Thank you for your assistance in this matter and please call me with any questions.

Sincerely,

Moore &amp; Van Allen PLLC



Lesley A. Firestone

LAF/maa

Enclosures: as stated

cc: Nathan M. Haber, Esq. (via e-mail with enclosure)  
Bradley D. Churdar, Esq. (via e-mail with enclosure)  
M. Dawes Cook, Esq.  
D. Summers Clarke, II, Esq.

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SC Court of Appeals

## FACSIMILE

**Moore & Van Allen**

FROM	Lesley A. Firestone, Esq.
DATE	February 15, 2016
TIME	

Lesley A. Firestone  
Attorney at Law

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F 843 579 8720  
lesleyfirestone@mvalaw.com

PAGES INCLUDING COVER SHEET	7	USER NUMBER	8873
CLIENT/MATTER	039124.05		

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 A CONFIRMATION COPY OF THIS FACSIMILE WILL BE SENT VIA CERTIFIED MAIL.

## Attention:

	NAME	COMPANY	TELEPHONE	FACSIMILE
1	The Hon. Jenny Abbott Kitchings	Clerk, South Carolina Court of Appeals		803-734-1839
2				
3				
4				
5				
6				
7				

## Attachments:

Letter correspondence from Lesley A. Firestone, Esq., dated February 15, 2016

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SC Court of Appeals

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