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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM Horry COUNTY  
Steven H. John, Circuit Court Judge

Case No. 2011-CP-26-7403

**RECEIVED**  
MAR 02 2016  
SC Court of Appeals

Randall M. Green and Ann Green, ..... Respondents-Appellants,

v.

Wayne B. Bauerle, M.D. and  
Wayne B. Bauerle, M.D., P.C., ..... Appellants-Respondents.

**MOTION TO ACCEPT FILING OF  
RETURN OUT OF TIME**


The Appellants-Respondents Wayne B. Bauerle, M.D. and Wayne B. Bauerle, M.D., P.C. (hereafter collectively referred to as "Dr. Bauerle"), respectfully move this Court to accept the Return to Petition for Rehearing out of time.

The undersigned counsel for Dr. Bauerle was unable to complete the preparation by the current deadline because of other deadlines and obligations including in particular another brief due in the South Carolina Supreme Court on

the same date that took longer than anticipated to complete. By the time counsel realized that he was unable to complete this return by the current deadline, there was no opportunity to consult with opposing counsel; however, based on prior experience in this litigation where the parties have consented to each other's extension requests, there is no reason to believe that this request will be opposed.

WHEREFORE, the Dr. Bauerle respectfully requests that the Court accept the filing of the return out of time.

DAVIDSON & LINDEMANN, P.A.

BY:   
\_\_\_\_\_  
ANDREW F. LINDEMANN  
1611 Devonshire Drive  
Post Office Box 8568  
Columbia, South Carolina 29202  
(803) 806-8222

*Counsel for Appellants-Respondents  
Wayne B. Bauerle, M.D. and Wayne B.  
Bauerle, M.D., P.C.*

Columbia, South Carolina

March 2, 2016

DAVIDSON & LINDEMANN, P.A.

ATTORNEYS AND COUNSELLORS AT LAW

William H. Davidson, II  
Andrew F. Lindemann\*  
James M. Davis, Jr.†  
Robert D. Garfield  
Michael B. Wren

1611 Devonshire Drive, Second Floor  
Post Office Box 8568  
Columbia, South Carolina 29202-8568  
Telephone: (803) 806-8222  
Facsimile: (803) 806-8855  
www.dml-law.com

Daniel C. Plyler  
Joel S. Hughes  
David A. DeMasters  
Steven R. Spreeuwers  
Todd R. Flippin

\*Also Admitted In North Carolina  
†Certified Mediator

March 2, 2016

Of Counsel  
Kenneth P. Woodington

Writer's Email: [alindemann@dml-law.com](mailto:alindemann@dml-law.com)

**Hand Delivered**

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

RECEIVED  
MAR 02 2016  
SC Court of Appeals

RE: Randall M. Green and Ann Green v. Wayne B. Bauerle, M.D. and  
Wayne B. Bauerle, M.D., P.C.  
Appeal Tracking Number: 2014-000460  
Civil Action Number: 2011-CP-26-7403  
Claim Number: CB053262M  
Our File Number: 22.9301

Dear Ms. Kitchings:

Please find enclosed for filing the originals and seven copies each of the **Motion to Accept Filing of Return Out of Time and Return to Petition for Rehearing** with regard to the above referenced matter. Please file the originals and return a clocked-in copy of each document to me in the enclosed envelope. I have also enclosed my firm's \$25.00 check for the filing fee.

By copy of this letter, I am serving copies on all counsel of record. Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb  
Enclosures

The Honorable Jenny Abbott Kitchings  
March 2, 2016  
Page Two

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cc: (w/ Enclosures)

O. Grady Query, Esquire  
E. Brooke Hurt, Esquire  
Query Sautter Forsythe, LLC  
The Wappoo Centre  
147 Wappoo Creek Drive - Suite 202  
Charleston, South Carolina 29412

L. Morgan Martin, Esquire  
Law Offices of L. Morgan Martin, P.A.  
1121 Third Avenue  
Conway, South Carolina 29526

Cristin A. Uricchio, Esquire  
Uricchio Law Firm  
147 Wappoo Creek Drive - Suite 205  
Charleston, South Carolina 29412

John B. McCutcheon, Jr., Esquire  
Lisa A. Thomas, Esquire  
Thompson & Henry, P.A.  
Post Office Box 1740  
Conway, South Carolina 29528