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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Tanya A. Gee, Circuit Court Judge

Case No. 2015-CP-40-01082

RECEIVED
FEB 22 2016
SC Court of Appeals

Karl T. Harbath, Respondent,

v.

Stephen Sanders, Bennett-Hall Co., Inc.,
and Sunbelt Rentals, Inc., Defendants,

Of whom

Bennett-Hall Co., Inc. is the, Appellant.

**MOTION FOR THE COURT TO ACCEPT THE
RESPONDENT'S MEMORANDUM OF LAW OUT OF TIME**

Pursuant to Rules 240 and 263(b), SCACR, Respondent hereby moves this Court to accept for filing out of time the memorandum of law regarding appealability. The memorandum of law regarding appealability was due to be filed on February 19, 2016.

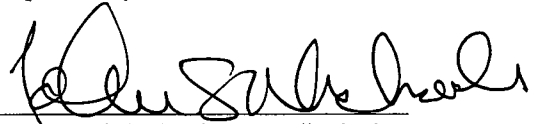
Respondent's primary counsel, Melissa G. Mosier, remains out on maternity leave and the deadline for filing the memorandum was overlooked. Respondent is delivering the memorandum to the Court this date, which is the same date the Court would have received it had the memorandum been filed by mailing. It is also being delivered to counsel for Appellant by electronic mail as well as hand delivery.

The memorandum of law regarding appealability is conditionally filed with this

motion and served on all other parties.

February 22, 2016

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John S. Nichols", written over a horizontal line.

John S. Nichols, SC Bar # 4210

BLUESTEIN NICHOLS

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