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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Doyet A. Early III, Circuit Court Judge

RECEIVED

APR 11 2016

SC Court of Appeals

Case Nos. 2013-CP-02-02849, 2013-CP-02-02850

Appellate Case No. 2015-002417

Tommie Rae Brown.....Respondent,

v.

David C. Sojourner, Jr., in his capacity as Limited Special Administrator of the Estate of James Brown, a/k/a James Joseph Brown and Limited Special Trustee of the James Brown Irrevocable Trust, u/a/d August 1, 2000, Deana Brown Thomas, Yamma Brown, Venisha Brown, Larry Brown, Terry Brown, and Daryl Brown,

of whom David C. Sojourner, Jr., in his capacity as Limited Special Administrator of the Estate of James Brown, a/k/a James Joseph Brown and Limited Special Trustee of the James Brown Irrevocable Trust, u/a/d August 1, 2000, is theAppellant.

RESPONDENT'S MOTION FOR AN EXTENSION
OF TIME TO FILE INITIAL BRIEF

TO: THE HONORABLE CHIEF JUDGE AND THE ASSOCIATE JUDGES OF THE
SOUTH CAROLINA COURT OF APPEALS:

Respondent Tommie Rae Brown, by and through her undersigned counsel, hereby moves for an extension of time to file and serve the Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal. Pursuant to this Court's Order filed March 10, 2016, and correspondence enclosing same, Appellants' Initial

Briefs are due on or before April 11, 2016,¹ which would make Respondent's Initial Brief due May 11, 2016.

Respondent received Appellant Terry Brown's Initial Brief on April 4, 2016. There are six additional Appellants in this matter, namely David C. Sojourner, in his capacity as the Limited Special Administrator of the Estate of James Brown, a/k/a James Joseph Brown, and Limited Special Trustee of the James Brown Irrevocable Trust, u/a/d August 1, 2000, Deana Brown, Yamma Brown, Venisha Brown, Larry Brown, and Daryl Brown, and Respondent expects to receive at least three and perhaps four additional fifty (50) page initial briefs. Respondent has not objected to Appellant David C. Sojourner's Second Motion for Extension of Time to File Initial Brief, by which Appellant Sojourner requested a deadline of May 11, 2016, nor has Respondent objected to Appellants Deanna Brown-Thomas, Yamma Brown, and Venisha Brown's Second Motion for Extension of Time to File Initial Brief, which also requested a deadline of May 11, 2016. To date, no other Appellants have requested an extension.

There were five briefs and/or memoranda of law filed by the Appellants in reply to Respondent's Memorandum in Support of Motion for Partial Summary Judgment below.

Respondent seeks a stay of the deadline to reply to each of the Appellant's Initial Briefs until such time as she receives all of the Appellants' Initial Briefs in order to submit one reply brief. Further, due to the significance of the legal issues involved in this

¹ Appellant Sojourner submitted a Motion for an Extension of Time to File Initial Brief requesting a deadline of May 11, 2016; Appellants Deanna Brown-Thomas, Dr. Yamma Brown, and Venisha Brown also submitted a Motion for an Extension of Time to File Initial Brief requesting a deadline of May 11, 2016.

appeal and that Respondent Tommie Rae Brown will likely have to address three to five fifty (50) page briefs, Respondent requests that this Court grant a sixty (60) day extension from May 11, 2016, or from the date at which the last Appellant's Initial Brief is filed, whichever is later. Based upon this requested extension, Respondent's deadline would be July 11, 2016.

Accordingly, for the reasons previously stated, and in the interest of judicial economy, Respondent respectfully requests that the Court of Appeals stay the current deadline for replying to Appellant Terry Brown's Initial Brief and grant an extension of sixty (60) days from the date when Respondent receives the last of the Appellants' Initial Briefs.

Counsel for Appellant has consulted with counsel for all other parties to this appeal and all have either consented to extension or did not object when noticed.

Respectfully submitted,

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ATTORNEYS FOR RESPONDENT
TOMMIE RAE BROWN

Charleston, SC
April 7, 2016

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Doyet A. Early III, Circuit Court Judge

Case Nos. 2013-CP-02-02849, 2013-CP-02-02850

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of whom David C. Sojourner, Jr., in his capacity as Limited Special Administrator of the Estate of James Brown, a/k/a James Joseph Brown and Limited Special Trustee of the James Brown Irrevocable Trust, u/a/d August 1, 2000, is theAppellant.

AFFIDAVIT OF ROBERT N. ROSEN IN SUPPORT OF MOTION
FOR EXTENSION OF TIME TO FILE INITIAL BRIEF

PERSONALLY APPEARED before me, Robert N. Rosen, who being duly sworn, does state as follows:

1. I am counsel for Respondent Tommie Rae Brown in the above-captioned action and submit this affidavit in support of Respondent's Motion for Extension of Time to File Initial Brief.

2. I am informed and believe that at least three to six additional Appellants in the above-captioned matter will file an initial brief for a total of four or five Appellants' briefs. Under the Rules, as Deponent understands them, each appellant is permitted to file one fifty (50) page brief on his or her behalf, meaning that Respondent Tommie Rae Brown could have to reply to at least two-hundred pages, if not more. There were five briefs or memoranda of law filed by Appellants in response to Respondent's Memorandum in Support of Motion for Partial Summary Judgment below.

3. Deponent believes that it would be in the interest of judicial economy and beneficial to this court to allow Respondent to reply to all of Appellants' briefs in Respondent's initial brief, and therefore Deponent requests that the current deadline for Respondent's Initial Brief, which is May 11, 2016, be stayed until such time as Respondent receives each of the Appellant's Initial Briefs.

4. As it currently stands, Appellants David C. Sojourner, Deanna Brown-Thomas, Yamma Brown, and Venisha Brown have filed motions seeking an extension until May 11, 2016 to file his or her initial brief. Under the Rules, Respondent has thirty (30) days after service of appellants' brief to file her initial brief.

5. Deponent consulted with counsel for all other parties to this appeal via email requesting that they confirm consent to Respondent's request for an extension or state his or her objection by 5 p.m. on Wednesday, April 6, 2016. Counsel for Deanna Brown-Thomas, Yamma Brown, Venisha Brown, Daryl Brown, Michael Deon Brown, and David C. Sojourner consented to Respondent's request and all others did not respond.

6. Deponent believes that a sixty (60) day extension is a reasonable and appropriate amount of time for Respondent to file and serve her initial brief given the

complexity of the issues, the expected length of each of the Appellants' initial briefs, and will provide sufficient time to adequately prepare and meet the deadlines in this case.

7. I am over the age of twenty-one (21) years and am competent to testify to the matters stated herein. I have read the foregoing paragraphs, and all matters stated therein are correct and true and are based on my personal knowledge and belief, expect those alleged on information and belief and as to those, I believe them to be true.

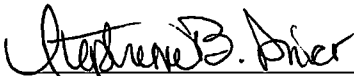
FURTHER AFFIANT SAYETH NOT.



Robert N. Rosen, Esquire

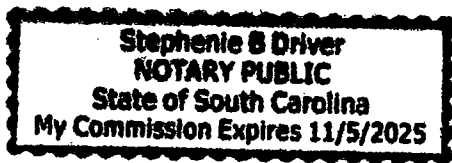
SWORN to before me this

7th day of April, 2016



Notary Public for South Carolina

My commission expires: _____



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In The Court of Appeals

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Doyet A. Early III, Circuit Court Judge

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of whom David C. Sojourner, Jr., in his capacity as Limited Special Administrator of the Estate of James Brown, a/k/a James Joseph Brown and Limited Special Trustee of the James Brown Irrevocable Trust, u/a/d August 1, 2000, is the.....Appellant.

PROOF OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Respondent's Motion to Dismiss Appeal has been served on all counsel of record by depositing a copy of same in the United States Mail, postage prepaid on April 7, 2016, and addressed as follows:

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PHONE (843) 377-1700

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April 7, 2016

By US Mail

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

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APR 11 2016

SC Court of Appeals

Re: Estate of James Brown a/k/a James Joseph Brown
Tommie Rae Brown, Respondent v. David C. Sojourner, Jr., et al.
Appellate Case No. 2015-002417

Dear Ms. Kitchings:

Enclosed please find an original and seven (7) copies of Respondent Tommie Rae Brown's Motion for an Extension of Time to File Initial Brief, Affidavit of Robert N. Rosen, and the accompanying Proof of Service in the above-referenced matter. Please file the original and six copies and return the extra clocked copy in the enclosed prepaid envelope. Our check in the amount of \$25.00 is enclosed to cover the filing fee.

By copy of this letter, I am serving a copy of these documents on all attorneys of record.

Thank you for your assistance, and please feel free to contact our office if you have any questions.

Sincerely,



Erin C. Casey

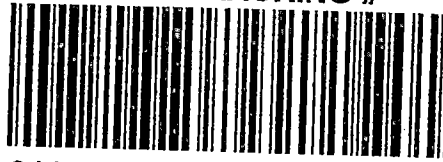
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Enclosures
cc:

All Counsel of Record
Tommie Rae Brown



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SC Court of Appeals

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

