

79761

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

JUN 03 2016
SC Court of Appeals

The Honorable Edward W. Miller, Circuit Court Judge

Trial Case No.: 2011-CP-23-07338
Appellate Case No. 2015-000162

Pankaj Patel, individually and derivatively on behalf of Nominal Defendant,
VP Enterprises, Inc.,Appellant,

v.

Krish Patel, Vijay Patel, and P Communications, Inc., Respondents.

APPELLANT'S MOTION FOR EXTENSION OF TIME

Pursuant to South Carolina Appellate Court Rules 221(a) and 263(b), Appellant Pankaj Patel, individually and derivatively on behalf of Nominal Defendant, VP Enterprises, Inc. ("Appellant"), moves for an extension of fifteen (15) days from the existing deadline to file a petition for rehearing in this case. This Court filed its Unpublished Opinion No. 2016-UP-247 on June 1, 2016. Appellant's petition for rehearing is now due on or before June 16, 2016. Appellant would request an extension of fifteen (15) days or until July 1, 2016 to file and serve a petition for rehearing.

Appellant's attorneys respectfully request this extension due to numerous commitments in ongoing cases and an anticipated family vacation. Appellant has not requested any prior extensions from the Court regarding a petition for rehearing.

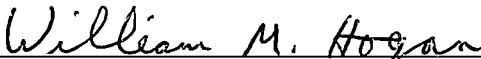
(Appellant was granted two extensions on the initial briefs.) If the extension is granted, any petition for rehearing by Appellant will be due on or before July 1, 2016.

Appellant's counsel has conferred with counsel for Respondents regarding this motion, and they consent to the fifteen (15) day extension.

For the reasons set forth herein, Appellant requests a fifteen (15) day extension to serve and file a petition for rehearing.

Respectfully submitted,

THE GILREATH LAW FIRM, P.A.



William M. Hogan (S.C. Bar #65272)

James R. Gilreath (S.C. Bar #02133)

110 Lavinia Avenue (zip 29601)

P.O. Box 2147

Greenville, SC 29602

Telephone: (864) 242-4727

Fax: (864) 232-4395

bhogan@gilreathlaw.com

jim@gilreathlaw.com

and

Monty D. Desai (S.C. Bar # 73967)

Nihar Patel (S.C. Bar # 74166)

J. Matthew Whitehead (S.C. Bar # 73803)

THE CAROLINA LAW GROUP

910 E. Washington Street

Greenville, SC 29601

Telephone: (864) 312-4444

Fax: (864) 312-4447

monty@thecarolinallawgroup.com

nihar@thecarolinallawgroup.com

matt@thecarolinallawgroup.com

Attorneys for Appellants Pankaj Patel, individually and derivatively on behalf of Nominal Defendant, VP Enterprises, Inc.

June 2, 2016
Greenville, South Carolina.

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

JUN 03 2016
SC Court of Appeals

The Honorable Edward W. Miller, Circuit Court Judge

Trial Case No.: 2011-CP-23-07338
Appellate Case No. 2015-000162

Pankaj Patel, individually and derivatively on behalf of Nominal Defendant,
VP Enterprises, Inc., APPELLANTS,

v.

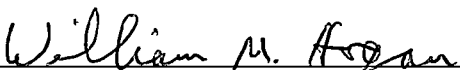
Krish Patel, Vijay Patel, and P Communications, Inc., RESPONDENTS.

PROOF OF SERVICE

This is to certify that I have this day served counsel for the Respondents in the foregoing matter with a copy of the foregoing **APPELLANT'S MOTION FOR EXTENSION OF TIME** by depositing same in the United States Mail with adequate postage affixed thereon to ensure delivery, addressed as follows:

Thomas L. Stephenson, Esquire
STEPHENSON & MURPHY, LLC
207 Whitsett Street
Greenville SC 29601

Andrew A. Mathias, Esquire
Kirsten E. Small, Esquire
NEXSEN PRUET, LLC
Post Office Drawer 10648
Greenville, SC 29603



William M. Hogan (S.C. Bar No. 65272)
James R. Gilreath (S.C. Bar No. 02133)
THE GILREATH LAW FIRM, P.A.
110 Lavinia Avenue (zip 29601)
P.O. Box 2147

Greenville, SC 29602
Telephone: (864) 242-4727
Fax: (864) 232-4395
jim@gilreathlaw.com
bhogan@gilreathlaw.com

Attorney for Appellants Pankaj Patel, individually
and derivatively on behalf of Nominal Defendant,
VP Enterprises, Inc.

June 2, 2016
Greenville, South Carolina.

THE GILREATH LAW FIRM, P.A.

JAMES R. GILREATH*
jim@gilreathlaw.com

*ALSO ADMITTED TO PRACTICE IN NC

WILLIAM M. HOGAN
bhogan@gilreathlaw.com

110 LAVINIA AVENUE (29601)
P.O. BOX 2147
GREENVILLE, SC 29602
www.gilreathlaw.com

TELEPHONE (864) 242-4727
FACSIMILE (864) 232-4395

June 2, 2016

RECEIVED

JUN 03 2016

SC Court of Appeals

VIA FEDERAL EXPRESS

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1200 Senate Street
Columbia, SC 29201

RE: *Pankaj Patel, individually and derivatively on behalf of Nominal Defendant, VP Enterprises, Inc. v. Krish Patel, Vijay Patel, and P Communications, Inc.*
Appellate Case No.: 2015-000162

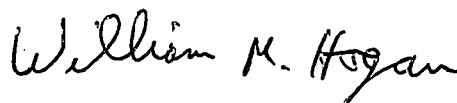
Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the Appellant's Motion for Extension of Time and a Certificate of Service regarding the above referenced case. Also enclosed is a check in the amount of \$25 for the filing fee.

Please file the originals and return a filed-clocked copy to me in the enclosed self-addressed, stamped envelope.

Thank you for your assistance in this matter. If you have any questions or need anything further, please let me know.

Sincerely,



William M. Hogan

WMH/kmk
Enclosures

cc: Monty Desai, Esquire (w/enclosures)
Nihar Patel, Esquire (w/enclosures)
J. Matthew Whitehead (w/enclosures)
Thomas L. Stephenson (w/enclosures)
Andrew A. Mathias (w/enclosures)
Kirsten E. Small, Esquire (w/enclosures)

ORIGIN ID:LQKA (864) 242-4727
JAMES GILREATH
GILREATH LAW FIRM
110 LAVINIA AVENUE

SHIP DATE: 02JUN16
ACTWGT: 1.00 LB
CAD: 9750624/NET3730

GREENVILLE, SC 29601
UNITED STATES US

BILL SENDER

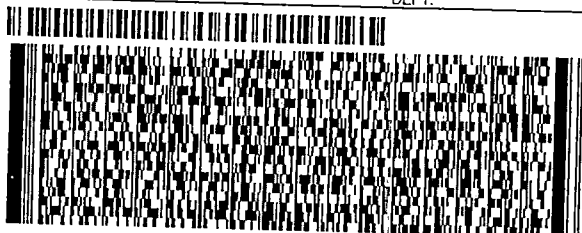
TO HON. JENNY ABBOTT KITCHINGS
SOUTH CAROLINA COURT OF APPEALS
1220 SENATE ST

COLUMBIA SC 29201

(803) 734-1890
INV:
PC:

REF: PATEL V. PATEL
DEPT:

54012309D/727F



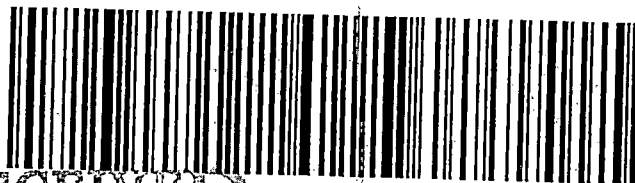
FRI - 03 JUN 3:00P

TRK# 7764 3365 3717
0201

STANDARD OVERNIGHT

XH USCA

29201
SC-US CAE



RECEIVED

JUN 03 2016

SC Court of Appeals

RT 103 1 16:00 E
FZ B20 3717 06.03



ESS

Extracurricular

ct ss itions le if the nly