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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**

AUG 03 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 INITIAL BRIEF OUT OF TIME**

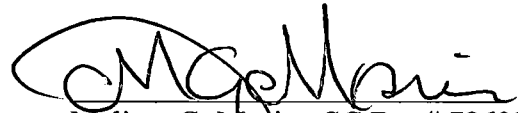
Pursuant to Rules 240 and 263(b), SCACR, Respondent hereby moves this Court to accept for filing out of time the initial brief of respondent and designation of matter to be included in the record on appeal. The initial brief of respondent and designation of matter was due to be filed on August 1, 2016.

The initial brief of respondent and designation of matter to be included in the record on appeal are conditionally filed with this motion and served on all other parties.

/Signature page attached

August 3, 2016

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Melissa G. Mosier", written over a horizontal line.

Melissa G. Mosier, SC Bar # 78693

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& ASSOCIATES, P.A.

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Attorneys for Respondent

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**PROOF OF SERVICE**

The undersigned hereby certifies that on the date indicated below she served counsel for the Appellant with a copy of the *Motion for the Court to Accept the Respondent's Initial Brief out of Time and the conditionally filed Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal* by mailing copies of the same by United States Mail with first class postage prepaid to the following addresses:

Brian A. Comer  
Kerri B. Rupert  
Collins & Lacy, PC  
1330 Lady St.  
Columbia, SC 29201



Erin Bridges

August 3, 2016



BLUESTEIN · NICHOLS · THOMPSON · DELGADO LLC  
ATTORNEYS AT LAW

August 3, 2016

**VIA HAND DELIVERY**

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

RECEIVED  
AUG 03 2016  
SC Court of Appeals

RE: Karl T. Harbath v. Stephen Sanders  
Case Tracking No.: 2015-002566

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of a Motion for the Court to Accept the Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal Out of Time. Also, please find enclosed the conditionally filed original and one (1) copy of the Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal. I have also enclosed a proof of service upon counsel for the Appellant and a check in the amount of \$25.00 for filing this motion. Please return the additional filed copies to me via our courier.

Thank you for your attention to this matter. If you need any additional information, please do not hesitate to contact me.

Sincerely,

Erin Bridges

Paralegal to John S. Nichols  
BLUESTEIN, NICHOLS,  
THOMPSON & DELGADO, LLC

/emb

Enclosures

cc: Melissa G. Mosier, Esquire  
Brian A. Comer, Esquire  
Kerri B. Rupert, Esquire