

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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S.C. SUPREME COURT

Kristin Joseph, P.T., Thomas N. Joseph, M.D., and William G. McCarthy, M.D., .....Appellants,

v.

South Carolina Department of Labor, Licensing and Regulation, South Carolina Board of Physical  
Therapy, .....Respondent,

and

South Carolina Chapter, American Physical Therapy Association, Joseph M. McKowen, PT, Sabrina  
Queen Bridges, PTA, and Amalia W. Kirby, PTA, .....Respondents.

Appellate Case No. 2014-001115

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Appeal From Richland County  
The Honorable G. Thomas Cooper, Jr., Circuit Court  
Judge

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Opinion No. 27666

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Heard February 19, 2015 – Filed September 14, 2016

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**MEMORANDUM IN OPPOSITION TO MOTION  
FOR EXTENSION OF TIME TO FILE A PETITION FOR REHEARING**

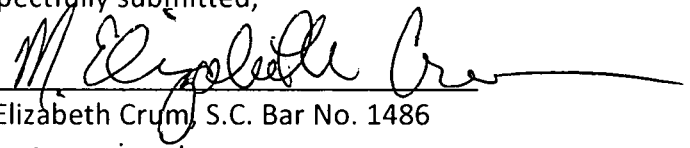
Appellants, Kristin Joseph, P.T., Thomas N. Joseph, M.D., and William G. McCarthy, M.D., object to Respondents' Motion for Extension of Time to File Respondent' Petition for Rehearing (Motion). This case was argued on February 18, 2015 and decided in a, well-reasoned opinion written by Acting Justice Toal, Justice Hearn concurring, Justice Kittredge concurring in the result and Justice Beatty dissenting with Chief Justice Pleicones concurring.

The only ground given for the request for an extension is that "counsel for Respondents South Carolina Chapter, American Physical Therapy Association [SCAPTA], and South Carolina Department of Labor, Licensing and Regulation, South Carolina Board of Physical Therapy [Board]" need additional time to prepare and file the Petition for Rehearing. Each of the counsel requesting the extension has been involved in the case prior to the hearing before the lower court.

Each firm requesting the extension of time has numerous lawyers that can assist in the preparation of any Petition for Rehearing. In fact Hogan Lovells US LLP is one of the largest law firms in the country and has represented SCAPTA since it intervened in the case prior to completion of discovery.

On September 15, 2016, SCAPTA posted a news article informing its members that the "the long-awaited decision issued by the South Carolina Supreme Court in the controversial case of Joseph et al. v. South Carolina Department of Licensing, Labor and Regulation, South Carolina Board of Physical Therapy". <http://scapta.org/> A copy of this article is attached for the convenience of the Court as Attachment A. As is obvious from the article to its members, SCAPTA had reviewed and dissected Opinion No. 27666 as early as September 12, 2016. The Motion should be denied.

Respectfully submitted,

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September 28, 2016

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