

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM FAIRFIELD COUNTY
Roger L. Couch, Circuit Court Judge

Case No. 2013-CP-20-0012

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OCT 24 2016

SC Court of Appeals

Philip Ethier and Jeanne Ethier ,

Appellants,

v.

Fairfield Memorial Hospital; Guy R. Bibeau, M.D.;
Tuomey Medical Professionals, Inc.; and
Pee Dee Emergency Medical Associates, P.A.,

Defendants

Of whom, Guy R. Bibeau, M.D. is the

Respondent.

**RESPONDENT'S MOTION FOR EXTENSION
TO FILE INITIAL BRIEF**

The Respondent Guy R. Bibeau, M.D. respectfully moves this Court for an additional fourteen day extension of time until November 9, 2016, by which to file and serve his Initial Brief and Designation of Matter to be Included in the Record on Appeal.

The Respondent's motion is based on the following grounds:

1. The Initial Brief is currently due to be filed and served on October 26, 2016.
2. The undersigned counsel for the Respondent requires this additional time to prepare the Respondent's Initial Brief because of other obligations and deadlines including an all-day hearing scheduled before the Administrative Law Court on October 25, 2016, as well as two other briefs due on October 27, 2016, one to the South Carolina Supreme Court and another to the South Carolina Court of Appeals.
3. Counsel for the Appellants has been consulted and has consented to the requested extension. (See attached email).

WHEREFORE, the Respondent Guy R. Bibeau, M.D. respectfully requests that he be allowed until November 9, 2016, by which to file and serve his Initial Brief and Designation of Matter to be Included in the Record on Appeal.

DAVIDSON & LINDEMANN, P.A.

BY: 

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Counsel for Respondents

October 24, 2016

Jennifer M. Baker

From: Andrew Lindemann
Sent: Monday, October 24, 2016 12:21 PM
To: Jennifer M. Baker
Subject: Fwd: Ethier Appeal

Sent from my iPhone

Begin forwarded message:

From: David Proffitt <dproffitt@proffittcox.com>
Date: October 24, 2016 at 12:17:30 PM EDT
To: 'Andrew Lindemann' <alindemann@DML-LAW.com>
Subject: RE: Ethier Appeal

Andrew,
Plaintiff has no objection to a 14-day continuance in the Ethier appeal.
Thanks.
David

David Proffitt
Proffitt & Cox, LLP
140 Wildewood Park Drive, Suite A
Columbia, SC 29223-4311
(803) 834-7097
FAX: 1-888-711-1057
Email: dproffitt@proffittcox.com
Website: www.proffittcox.com
Show Me a Map to Proffitt & Cox, LLP

CONFIDENTIAL: The information contained in this message might contain legally privileged and confidential information intended solely for the use of the intended recipient. If you are not the intended recipient, you are hereby notified that any dissemination or duplication of this transmission is prohibited. If you have received this communication in error, please notify us.

-----Original Message-----

From: Andrew Lindemann [<mailto:alindemann@DML-LAW.com>]
Sent: Monday, October 24, 2016 12:13 PM
To: dproffitt@proffittcox.com
Subject: Ethier Appeal

Please confirm our conversation from this morning where you kindly consented

to an additional 14 day extension for the filing on Respondent's Initial Brief. Thanks.

Andrew

Sent from my iPhone=

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SC Court of Appeals

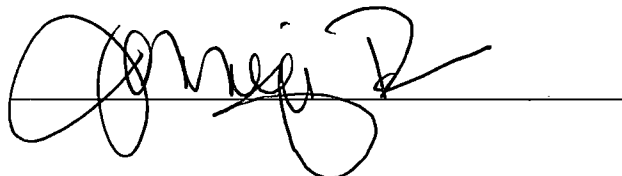
CERTIFICATE OF SERVICE

The undersigned employee of Davidson & Lindemann, P.A., counsel for the Respondent, does hereby certify that service of **Respondent's Motion for Extension to File Initial Brief** was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 24th day of October 2016:

David Proffitt, Esquire
Ronald B. Cox, Esquire
Proffitt & Cox, LLP
Wildewood Business Center
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Post Office Box 580
Sumter, South Carolina 29151-0580

Stanley L. Myers, Esquire
Moore Taylor Law Firm, P.A.
Post Office Box 5709
West Columbia, South Carolina 29171-5709



A handwritten signature in black ink, appearing to read 'Stanley L. Myers', is written over a horizontal line.

DAVIDSON & LINDEMANN, P.A.

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October 24, 2016

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*Also Admitted In North Carolina
†Certified Mediator

Of Counsel
Kenneth P. Woodington

Writer's Email: alindemann@dml-law.com

Hand Delivered

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

RE: Philip Ethier and Jeanne Ethier v. Guy R. Bibeau, M.D.
Appellate Case Number: 2015-001964
Civil Action Number: 2013-CP-20-0012
Claim Number: CB127439M
Our File Number: 22.9679

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Dear Ms. Kitchings:

Please find enclosed for filing the original and seven copies of **Respondent's Motion for Extension to File Initial Brief** in the above referenced matter. Please file the original and return a clocked-in copy to me by way of my courier. I have also enclosed my firm's \$25.00 check for the filing fee.

By copy of this letter, I am serving copies on all counsel of record. Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb
Enclosures

J

The Honorable Jenny Abbott Kitchings
October 24, 2016
Page Two

cc: (w/ Enclosure)

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