

PRATT-THOMAS | WALKERATTORNEYS AT LAW
PROFESSIONAL ASSOCIATION16 CHARLOTTE STREET
CHARLESTON, SC 29403
PO DRAWER 22247
CHARLESTON, SC 29413-2247PHONE: 843.727.2200
FAX: 843.727.2238

WWW.P-TW.COM

THOMAS P. GRESSETTE, JR.

Email: tpg@p-tw.com

Direct: (843) 727-2249

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S.C. SUPREME COURT

November 1, 2016

Via Facsimile to 803-734-1499 (Attn: Debbie)The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
PO Box 11330
Columbia, SC 29211Re: Kiawah Development Partners, II v. SCDHEC, Appellate Case No. 2016-000707

Dear Mr. Shearouse:

The Notice of Appeal in this case was filed on April 1, 2016. Over the following seven months Appellant has requested and been granted three extensions of the original July 26, 2016, deadline for the filing of Appellant's Initial Brief. Appellant now seeks a fourth extension, requesting its initial filing deadline be delayed again to November 22, 2016.

As the parties move into the ninth year of these proceedings, the risk of prejudice to the Respondent increases exponentially with each passing day. The Respondent cannot continue to consent to repeated extensions in this matter when those extensions are contrary to Respondent's business interests. Also, any further extension of Appellant's initial deadlines put Respondents at an unfair disadvantage because in order to protect its interests the Respondent will be required to prepare its brief more quickly than Appellant or risk further potential damage from delays.

Respondent opposes the fourth extension sought by Appellant. If the deadline must be extended, Appellant's Initial Brief should be due no later than Monday, November 7, 2016, and Appellant should also be precluded from seeking any extension of the deadline for filing of its Reply Brief.

Yours very truly,



Thomas P. Gressette, Jr.

Counsel for Respondent, Kiawah Development Partners, II

cc: Amy E. Armstrong, Esquire (Email and US Mail)
Bradley D. Churdar, Esquire (Email and US Mail)
Robert T. Bockman, Esquire (Email and US Mail)