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STATE OF SOUTH CAROLINA  
IN THE  
COURT OF APPEALS

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Appeal from the Court of Common Pleas  
For Charleston County  
Honorable J. C. Nicholson, Jr., Circuit Judge  
Civil Action No.: 2016-CP-10-1022

JAN 23 2017

SC Court of Appeals

Robin S. Forman, as Personal Representative  
of the Estate of Burton J. Apat,

Respondent,

v.

National Dental Systems, LLC,  
d/b/a DentalSmart,

Appellant.

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**Motion for Extension of Time To  
File Initial Brief and DOM**

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Stephen P. Groves, Sr., Esquire  
S.C. Bar No.: 007854  
Paul A. Dominick, Esquire  
S.C. Bar No.: 001718  
Alexandra H. Austin, Esquire  
S.C. Bar No.: 102646  
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*Attorneys for the Appellant,  
National Dental Systems, LLC, d/b/a DentalSmart*

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT  
OF APPEALS:

COMES NOW the Appellant, National Dental Systems, LLC, d/b/a DentalSmart ("National Dental Systems"), pursuant to Rule 240 of the South Carolina Appellate Court Rules, and respectfully requests this Court of Appeals to grant National Dental Systems a thirty-day (30) extension of time in which to file National Dental Systems' Initial Appellant's Brief and Designation of Matter to be Included in the Record on Appeal (the "DOM") in this appellate matter. The basis for this motion is that National Dental Systems' appellate counsel is involved in other appellate and trial matters at this time and need the additional time in which to complete the Initial Appellant's Brief and the DOM.

Based upon the current briefing schedule National Dental Systems' Initial Appellant's Brief and DOM are currently due on or before Monday, 30 January 2017 (as the 30<sup>th</sup> day falls on Sunday, 29 January 2017). Consequently, anticipating a favorable reception and subsequent grant of this extension motion, National Dental Systems' Initial Appellant's Brief and DOM would then be due on or before Wednesday, 1 March 2017.

Finally, National Dental Systems respectfully requests this Court of Appeals to hold the briefing time in abeyance until such time as this extension motion may be considered and ruled upon.

***Attorney Signature Appears***

***On The Following Page***

Respectfully submitted:

NEXSEN PRUET, LLC

Signed: \_\_\_\_\_

Stephen P. Groves, Sr., Esquire

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*Attorneys for the Appellant,  
National Dental Systems, LLC, d/b/a DentalSmart*

Charleston, South Carolina

20 January 2017

NPCHAR1:1856813.1-APL-(SPG) 056673-00005

STATE OF SOUTH CAROLINA  
IN THE  
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Robin S. Forman, as Personal Representative  
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**Proof of Service for  
Motion for Extension of Time To  
File Initial Brief and DOM**

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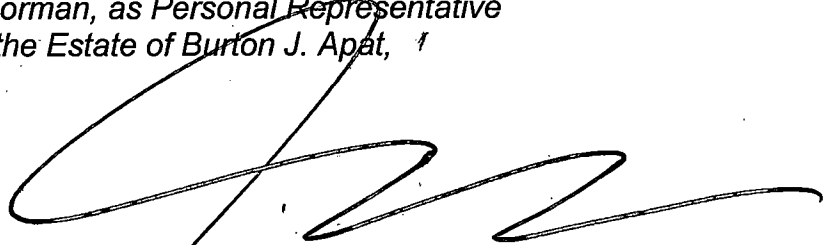
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[AAustin@nexsenpruet.com](mailto:AAustin@nexsenpruet.com)

*Attorneys for the Appellant,  
National Dental Systems, LLC, d/b/a DentalSmart*

I, Stephen P. Groves, Sr., Esquire, hereby certify that on 20 January 2017, I served one copy of the **Motion for Extension of Time in Which to File Initial Brief and DOM** submitted by the Appellant, National Dental Systems, LLC, d/b/a DentalSmart, upon counsel for the Respondent via the United States Mail, postage pre-paid, and addressed as follows:

Mark A. Mason, Esquire  
Salah H. Hibri, Esquire  
*THE MASON LAW FIRM, P.A.*  
Tidewatch Centre on Shem Creek  
465 West Coleman Blvd., Suite 302  
Mount Pleasant, South Carolina 29464  
Telephone: 843.884.1444

*Attorneys for Respondent,  
Robin S. Forman, as Personal Representative  
of the Estate of Burton J. Apat, 1*



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Stephen P. Groves, Sr., Esquire  
NEXSEN PRUET, LLC

Charleston, South Carolina

20 January 2017

Stephen P. Groves, Sr.  
Member  
Admitted in South Carolina

20 January 2017

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court Of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

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JAN 23 2017

SC Court of Appeals

Re: **Robin S. Foreman, as personal representative of the Estate of Burton J. Apat vs. National Dental Systems, LLC d/b/a Dental Smart**

Appeal from the Charleston County  
Court of Common Pleas

Case Action No.: 2016-CP-10-1022  
Appellate Case Tracking No.: **2016-002130**  
NP File No.: 056673-00005

**Charleston**

Charlotte

Columbia

Greensboro

Greenville

Hilton Head

Myrtle Beach

Dear Ms. Kitchings:

This will acknowledge your letter dated 18 January 2017, regarding the above-referenced appellate matter. Please be advised that we received a copy of the printed transcript from the court reporter on **30 December 2016**. We inadvertently failed to advise you and the Court of Appeals that the transcript had been received. I certainly apologize for this inadvertent oversight.

In addition, enclosed please find the original and seven copies of a **Motion for Extension of Time** in this same matter. I also enclose a **Proof of Service** indicating service of the **Motion for Extension of Time** and the **Proof of Service** upon counsel for the Respondent. Finally, I enclose our firm check in the amount of \$25.00 as payment for the filing fee.

I would greatly appreciate you filing the **Motion for Extension of Time** and the **Proof of Service** with the Court of Appeals and returning a date stamped copy of each to my attention in the enclosed self-addresses, stamped envelope.

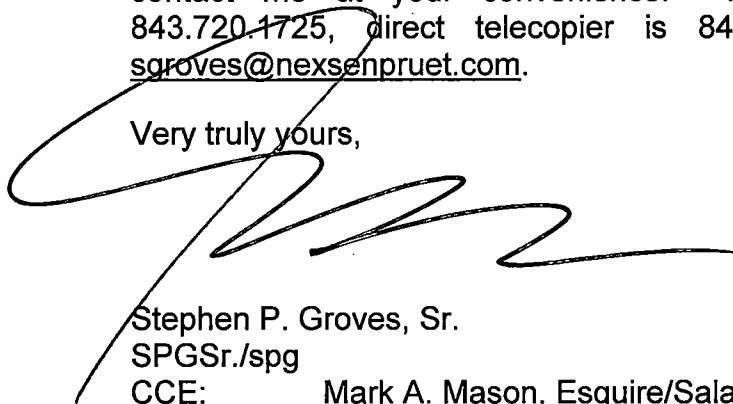
J

Hon. Jenny Abbott Kitchings  
Clerk of Court  
20 January 2017  
Page 2

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If you need anything else or I otherwise may be of any assistance to you or to the Court of Appeals regarding this matter, please feel free to contact me at your convenience. My direct telephone number is 843.720.1725, direct telecopier is 843.414.8206, and the e-mail is [sgroves@nexsenpruet.com](mailto:sgroves@nexsenpruet.com).

Very truly yours,



Stephen P. Groves, Sr.  
SPGSr./spg

CCE: Mark A. Mason, Esquire/Salah Hani Hibri, Esquire

Hasler

01/20/2017

US POSTAGE

\$02.96<sup>0</sup>



ZIP 29401  
011D11635377



**NEXSEN | PRUET**

P. O. Box 486  
Charleston SC 29402

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court Of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

56673-5/PAD

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JAN 23 2017

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