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JAN 25 2017

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Shirley C. Robinson, Administrative Law Judge

Case No. 16-ALJ-07-0082-CC

A. O. Smith Corporation.....Appellant,

v.

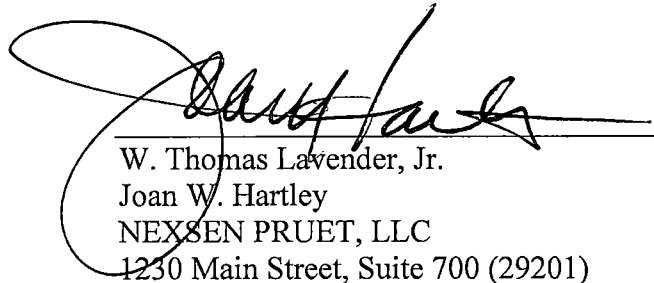
South Carolina Department of Health and Environmental Control
and Town of McBee..... Respondents.

APPELLANT’S MOTION FOR EXTENSION OF TIME

Appellant A. O. Smith Corporation (“A.O. Smith”) moves, pursuant to Rules 240 and 263(b), SCACR, for an extension of time to serve the Record on Appeal in this matter. On December 28, 2016, A.O. Smith filed a Motion to Strike Portion of Respondent Town of McBee’s Designation of Matter (“Motion to Strike”). On January 9, 2017, Respondent Town of McBee filed a response to the Motion to Strike. On January 17, 2017, A.O. Smith filed a reply to Respondent Town of McBee’s response. Pursuant to Rule 210(a), SCACR, the deadline for serving the Record on Appeal is January 27, 2017. A.O. Smith respectfully requests an extension of time to serve the Record on Appeal until not less than five (5) days following the Court ruling on the pending Motion to Strike.

Respectfully submitted,

January 25, 2017

A handwritten signature in black ink, appearing to read "W. Thomas Lavender, Jr.", is written over a horizontal line. The signature is stylized with a large, looping initial "W".

W. Thomas Lavender, Jr.

Joan W. Hartley

NEXSEN PRUET, LLC

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Attorneys for Appellant

A. O. Smith Corporation

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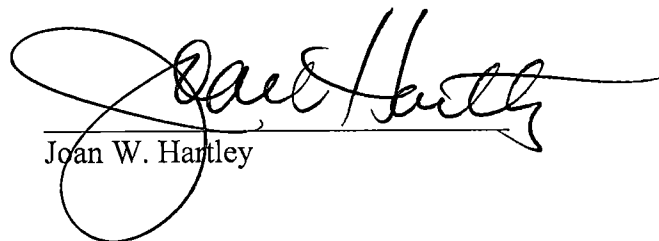
South Carolina Department of Health and Environmental Control
and Town of McBee..... Respondents.

PROOF OF SERVICE

I certify that I served Appellant's Motion for Extension of Time on counsel of record for Respondents by depositing a copy of them in the United States Mail, postage prepaid, on January 25, 2017, addressed to the following:

Stephen P. Hightower, Esquire
Office of General Counsel
South Carolina Department of Health and
Environmental Control
2600 Bull Street
Columbia, SC 29201

Belton T. Zeigler, Esquire
M. Todd Carroll, Esquire
Kathryn Mansfield, Esquire
Womble Carlyle Sandridge & Rice, LLP
1727 Hampton Street
Columbia, SC 29201


Joan W. Hartley

NEXSEN | PRUET

Joan W. Hartley
Special Counsel
Admitted in SC, NC

January 25, 2017

HAND DELIVERY

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

Re: *A.O. Smith Corporation v. South Carolina Department of Health and
Environmental Control and Town of McBee*
Docket No. 16-ALJ-07-0082-CC
Appellate Case No. 2016-002108

Dear Ms. Kitchings:

Enclosed for filing are the original and seven copies of Appellant's Motion for Extension of Time and the Proof of Service in the above-referenced matter. Please return a clocked-in copy of each via our courier. Also enclosed is our firm's check for \$25 for the filing fee.

By copy of this letter, we are serving same on counsel of record. Thank you for your assistance in this matter

Best regards,

Joan W. Hartley

JWH/dh

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SC Court of Appeals

cc: Stephen P. Hightower, Esquire
Belton T. Zeigler, Esquire
M. Todd Carroll, Esquire
Kathryn Mansfield, Esquire

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