

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Donald B. Hocker, Circuit Court Judge

Civil Action No. 2016-CP-32-00474
Appellate Case No. 2016-002272

RECEIVED

FEB 16 2017

SC Court of Appeals

Palmetto Wastewater Reclamation, LLC
d/b/a Alpine UtilitiesPlaintiff/Respondent,

v.

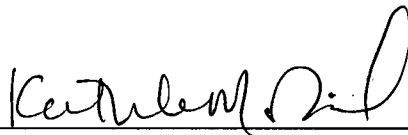
RBF Enterprises, LLC d/b/a McDonald's Defendant/Appellant.

APPELLANT'S SECOND MOTION FOR EXTENSION OF TIME

This Motion of the Appellant seeks an Order of this Court, pursuant to Rule 263(b), SCACR, extending the time to file its Initial Brief in the above-captioned appeal. The grounds for this Motion are that the Lexington County Clerk of Court cannot locate in its files the documents that Appellant proffered into evidence at the hearing on this matter before the trial court. This had delayed preparation of the Initial Brief of Appellant. Counsel for Appellant is investigating the whereabouts of these documents, and this has delayed preparation of the Initial Brief of Appellant. This Motion is not made for purposes of undue delay or any other improper purpose.

THEREFORE, Appellant requests an Order extending the time to file the Initial Brief of Appellant. Appellant respectfully requests that the Court extend Appellant's February 18, 2017 deadline to file its Initial Brief by 30 days, extending such deadline until March 20, 2017, and that all timelines be held in abeyance until further Order of this Court.

RESPECTFULLY SUBMITTED,



CALLISON, TIGHE & ROBINSON, LLC

D. Reece Williams, III

Kathleen McDaniel

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ATTORNEYS FOR APPELLANT

Columbia, South Carolina
February 16, 2017

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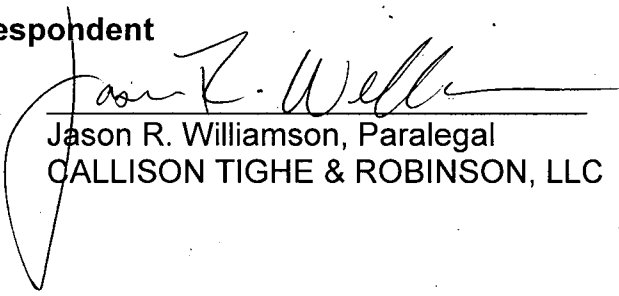
RBF Enterprises, LLC d/b/a McDonald's Defendant/Appellant.

PROOF OF SERVICE

I certify that I have served a copy of the following as indicated herein below by mailing a copy of same on the date below by First Class United States Mail, postage prepaid, addressed to the following:

DOCUMENT SERVED: APPELLANT'S SECOND MOTION FOR EXTENSION OF TIME

PARTIES SERVED: John M.S. Hoefler, Esq.
Andrew J. D'Antoni, Esq.
WILLOUGHBY & HOEFER, P.A.
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Columbia, South Carolina 29202
Attorneys for Respondent


Jason R. Williamson, Paralegal
CALLISON TIGHE & ROBINSON, LLC

Columbia, South Carolina
February 16, 2017

Kathleen McDaniel – Member
Ph.: 803-404-6900
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kathleenmcdaniel@callisontighe.com

CALLISON  TIGHE

82517

February 16, 2017

Via Hand-Delivery

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

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SC Court of Appeals

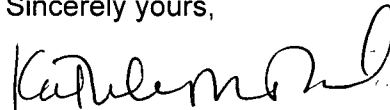
**Re: Palmetto Wastewater Reclamation, LLC, d/b/a Alpine Utilities v.
RBF Enterprises, LLC d/b/a McDonald's
Appellate No: 2016-002272
Case No: 2016-CP-32-00474
Firm No: 6532.001**

Dear Ms. Kitchings:

Enclosed for filing please find the original and one copy of Appellant's Second Motion for Extension of Time in the above-referenced action, along with this firm's check in the amount of \$25.00 for the motion fee. Please file the original and return a clocked-in copy to our office via our courier.

With kind regards, I am

Sincerely yours,



Kathleen McDaniel

KMM/jrw

cc: D. Reece Williams, III, Esq.
John M. S. Hoefler, Esq.
Andrew J. D'Antoni, Esq.