

**LAW OFFICE OF BROOKS R. FUDENBERG**

1004 Anna Knapp Blvd., Suite 3  
Mt Pleasant, SC 29464  
Tel. (843) 416-2558

October 15, 2012

The Hon. Jenny Abbott Kitchings  
Clerk of Court  
P.O. Box 11629  
Columbia, SC 29211

RE: Floyd E. Jernigan v. Suzanne Boone Katz and Bank of America, N.A.  
Case No.: 2009-CP-10-2433  
Appellate Case No. 2012-210729

Dear Ms. Kitchings,

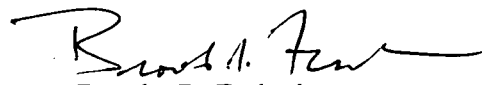
Respondent Floyd Jernigan respectfully requests a 30-day extension of time to file his Initial Brief and Designation of Matter in this case. This is due to counsel's other obligations and deadlines, and is Respondent's first request for an extension of time in this matter. By Respondent's calculations, his Brief would then be due December 2, 2012.

Please find enclosed a check in the amount of \$25.00 as the filing fee.

By copy of this letter, I am serving opposing counsel.

I ask that you return a stamped copy in the enclosed self-addressed envelope.

Yours very truly,

  
Brooks R. Fudenberg

cc: Bryson M. Geer, Esq.  
Merritt G. Abney, Esq.  
Aaron E. Edwards, Esq.  
Lawrence E. Richter, Jr., Esq.  
Geoffrey H. Waggoner, Esq.

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OCT 17 2012

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas  
J.C. Nicholson, Jr., Circuit Court Judge

Case No. 2009-CP-10-2433  
Appellate Case No. 2012-210729

Floyd E. Jernigan..... Respondent,

v.

Suzanne Boone Katz and Bank of America, N.A..... Defendants,

Of Whom Suzanne Boone Katz is..... Respondent,

And Bank of America, N.A. is ..... Appellant.

**PROOF OF SERVICE**

I certify that I have today served all counsel in this action with a copy of the foregoing Notice of Appearance and Motion to Extend Time by mailing a copy of the each, postage pre-paid, to the following addresses:

Bryson M. Geer, Esq.  
Merritt G. Abney, Esq.  
NELSON MULLINS RILEY & SCARBOROUGH, LLP  
151 Meeting Street I Sixth Floor  
Charleston, SC 29401-2239


Geoffrey H. Waggoner, Esq.  
Waggoner Law Firm  
PO Box 865  
Mt. Pleasant, SC 29465

Aaron E. Edwards, Esq.  
Lawrence E. Richter, Jr., Esq.  
The Richter Law Firm  
622 Johnnie Dodds Boulevard  
Mt. Pleasant, SC 29464

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\_\_\_\_\_  
Brooks R. Fudenberg

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Case No. 2009-CP-10-2433  
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Floyd E. Jernigan..... Respondent,  
v.  
Suzanne Boone Katz and Bank of America, N.A ..... Defendants,  
Of Whom Suzanne Boone Katz is..... Respondent,  
And Bank of America, N.A. is ..... Appellant.

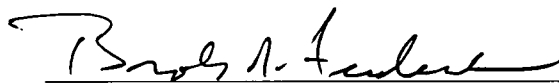
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**NOTICE OF APPEARANCE**

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You will please take notice that I hereby enter my appearance as additional counsel of record for Respondent Floyd E. Jernigan. The Waggoner Law Firm will also remain as counsel. All communications relating to the appeal should be directed to my office.

October 15, 2012



Brooks R. Fudenberg  
SC Bar No. 72019  
LAW OFFICE OF BROOKS R. FUDENBERG  
1004 Anna Knapp Blvd.  
Second Floor  
Mount Pleasant, SC 29464  
Tel: (843) 416-2558  
BRF@Fudenberglaw.com  
eFax: (910) 401-1242

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Attorney for Respondent Floyd E. Jernigan