

82575

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

William P. Keesley, Circuit Court Judge

RECEIVED
FEB 21 2017
SC Court of Appeals

Appellate Case No. 2016-002487

Cassandra M. Myers and Bartholomew Myers
in their capacity as Co-Personal Representatives
of the Estate of Evan Morris Myers, Appellants,

v.

The Consolidated Employee Recreation Clubs, a
non-profit organization a/k/a Pine Island Club
at Lake Murray, South Carolina Electric and Gas
Holding Company, Inc.; SCANA Respondents.

**RESPONDENTS' FIRST MOTION
FOR EXTENSION OF TIME TO FILE
RESPONDENTS' INITIAL BRIEF
AND DESIGNATION OF MATTER**

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

Pursuant to Rule 263(b), SCACR, Respondents The Consolidated
Employee Recreation Clubs, a non-profit organization a/k/a Pine Island Club



at Lake Murray, South Carolina Electric and Gas Holding Company, Inc., and SCANA (“Respondents”) respectfully move this Court for an extension of time to file Respondents’ Initial Brief and Designation of Matter after the Court has heard and ruled on Respondents’ Motion to Strike. Respondents’ Initial Brief and Designation of Matter are due February 21, 2017.

At this time, Respondents are filing with this Honorable Court their Motion to Strike from Appellants’ Designation of Matter certain materials designated by Appellants and requiring Appellants to file an amended initial brief omitting all references to the disputed items. Respondents additionally request that all deadlines be held in abeyance until the Court issues its ruling on the motion to strike.

Counsel asserts the extension is necessary given that if the Motion to Strike is granted, the Appellants will be required to file an amended Initial Brief and Designation of Matter omitting all references to the disputed items. Subsequently, Respondents will then be able to file their Initial Brief and Designation of Matter.

This is counsel’s first motion for an extension of time to file Respondents’ Initial Brief and Designation of Matter. Counsel appreciates the Court’s attention and its accommodation regarding this request.

Respectfully submitted,

COLLINS & LACY, P.C.



CHRISTIAN STEGMAIER
cstegmaier@collinsandlacy.com

KELSEY J. BRUDVIG
kbrudvig@collinsandlacy.com

COLLINS & LACY, P.C.

Post Office Box 12487

Columbia, South Carolina 29211

(803) 256-2660 (voice)

(803) 771-4484 (facsimile)

ATTORNEYS FOR RESPONDENTS

**RESPONDENTS' FIRST MOTION
FOR EXTENSION OF TIME TO
FILE RESPONDENTS' INITIAL
BRIEF AND DESIGNATION OF
MATTER**

Columbia, South Carolina
February 21, 2017

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

William P. Keesley, Circuit Court Judge

Appellate Case No. 2016-002487

RECEIVED
FEB 21 2017
SC Court of Appeals

Cassandra M. Myers and Bartholomew Myers
in their capacity as Co-Personal Representatives
of the Estate of Evan Morris Myers, Appellants,

v.

The Consolidated Employee Recreation Clubs, a
non-profit organization a/k/a Pine Island Club
at Lake Murray, South Carolina Electric and Gas
Holding Company, Inc.; SCANA Respondents.

PROOF OF SERVICE

I hereby certify that I served Respondents' First Motion for Extension of Time to File Respondents' Initial Brief and Designation of Matter upon all parties, by placing a copy in the United States mail, postage prepaid, to all counsel of record on February 21, 2017, addressed to the following:

COUNSEL SERVED:

Pedro E. Krompecher, III, Esquire
Krompecher Law Firm, PLLC
Post Office Box 6639
Raleigh, NC 27628
Counsel for Appellants

Edward L. Graham, Esquire
J. Layton Ruffin, Esquire
Graham Law Firm, P.A.
Post Office Box 550
Florence, SC 29501
Counsel for Appellants

Respectfully submitted,

COLLINS & LACY, P.C.



CHRISTIAN STEGMAIER
cstegmaier@collinsandlacy.com
KELSEY J. BRUDVIG
kbrudvig@collinsandlacy.com
COLLINS & LACY, P.C.
Post Office Box 12487
Columbia, South Carolina 29211
(803) 256-2660 (voice)
(803) 771-4484 (facsimile)

ATTORNEYS FOR RESPONDENTS



Christian Stegmaier | D: 803.255.0454 | E: cstegmaier@collinsandlacy.com

February 21, 2017

RECEIVED

FEB 21 2017

SC Court of Appeals

VIA HAND DELIVERY

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: *Cassandra M. Myers and Bartholomew Myers in their capacity as Co-Personal Representatives of the Estate of Evan Morris Myers, vs. The Consolidated Employee Recreation Clubs, a non-profit organization a/k/a Pine Island Club at Lake Murray, South Carolina Electric and Gas Holding Company, Inc./SCANA*

Civil Action No. 2014-CP-32-02210
Appellate File No. 2016-002487
Claim No. 683-411339
C&L File No. 000001-02078

Dear Ms. Kitchings:

Please find enclosed for filing the unbound originals and seven (7) copies of the Respondents' Motion to Strike and Motion for Extension of Time to file their Initial Brief and Designation of Matter in the above referenced matter. Also enclosed are our firm's checks in the amount of \$25.00 each, representing the filing fee of same. Please file the originals and return clocked copies of same via our courier.

By copy of this letter and enclosure, we are serving same on counsel of record.

Thank you for your time and attention. Should you have any questions or concerns, please do not hesitate to contact us.

Respectfully,

Christian Stegmaier

CS/mmm
Enclosures

cc: John Layton Ruffin, Esquire
Pedro E. Krompecher, III, Esquire

RECEIVED

FEB 21 2017

SC Court of Appeals



1330 Lady Street, Sixth Floor (29201) Post Office Box 12487 | Columbia, SC 29211

VIA HAND DELIVERY

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201
1-2078