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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Case No. 2015-CP-40-07254

RECEIVED

FEB 21 2017

SC Court of Appeals

Andrew P. Neumayer, ..... Respondent,

v.

Philadelphia Indemnity Insurance Company,  
Primary Colors Child Care Center, Jocelyn Knox  
DeMartelare, and Asia N. Partman, ..... Defendants,

of whom  
Philadelphia Indemnity Insurance Company is ..... Appellant.

**MOTION FOR THE COURT TO ACCEPT THE  
RESPONDENT'S INITIAL BRIEF OUT OF TIME**

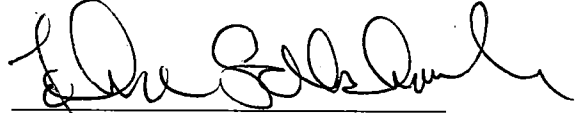
Pursuant to Rules 240 and 263(b), SCACR, Respondent hereby moves this Court to accept for filing out of time the initial brief of respondent. The initial brief of respondent was due to be filed on February 16, 2017.

The initial brief of respondent is conditionally filed with this motion and served on all other parties.

/Signature page attached

February 21, 2017

Respectfully submitted,



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Attorneys for Respondent

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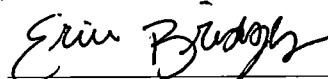
of whom

Philadelphia Indemnity Insurance Company is ..... Appellant.

**PROOF OF SERVICE**

The undersigned hereby certifies that on the date indicated below she served counsel for the Appellant with a copy of the *Motion for the Court to Accept the Initial Brief of Respondent Out of Time* and the conditionally filed *Initial Brief of Respondent* by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

Curtis W. Dowling  
Matthew G. Gerrald  
Barnes Alford Stork & Johnson, LLP  
PO Box 8448  
Columbia, SC 29202



Erin Bridges

February 21, 2017



BLUESTEIN · NICHOLS · THOMPSON · DELGADO LLC  
ATTORNEYS AT LAW

February 21, 2017

**VIA HAND DELIVERY**

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

Re: Andrew P. Neumayer v. Philadelphia Indemnity  
Case Tracking No. 2016-001710

RECEIVED

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SC Court of Appeals

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of a Motion for the Court to Accept the Initial Brief of Respondent Out of Time. Also, please find enclosed the conditionally filed original and one (1) copy of the Initial Brief of Respondent. I have also enclosed a proof of service upon counsel for the Appellant and a check in the amount of \$25.00 for filing this motion. Please return the additional filed copies to me via our courier.

Thank you for your attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Erin Bridges  
Paralegal to John S. Nichols  
BLUESTEIN, NICHOLS,  
THOMPSON & DELGADO, LLC

/emb

Enclosures

cc: Gerald E. Reardon, Esquire  
Curtis W. Dowling, Esquire  
Matthew G. Gerrald, Esquire