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IN THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

The Honorable Ellis B. Drew, Jr., Master-in-Equity

Case No. 2007-CP-04-2785

Moorhead Construction, Inc.....Respondent,

v.

Pendleton Station, LLC, Enterprise Bank of South Carolina,  
and Angelo Penza ..... Defendants,

Of whom Enterprise Bank of South Carolina is the .....Appellant.

APPELLANT'S MOTION FOR EXTENSION OF TIME  
TO FILE INITIAL BRIEF and DESIGNATION OF MATTER

Pursuant to Rule 240, SCACR, Appellant, Enterprise Bank of South Carolina, hereby requests that the Court grant Appellant a thirty (30) day extension in which to file its Initial Brief and Designation of Matter in the above captioned matter. Currently, Appellant's Initial Brief is due on or before November 29<sup>th</sup>, 2012. Counsel for Appellant has obtained the consent of counsel for Respondent as to this motion, and counsel for Appellant believes that the requested extension will neither prejudice the parties nor unduly delay this appeal. Counsel for Appellant has been engaged in preparing for several depositions and several motions in various cases during the past month, some of which were fairly complex and required counsel's time and attention with short notice.

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It is further requested that all time be held in abeyance during the pendency of this motion.

No memorandum in support of this motion is being filed as it is counsel's belief that such memorandum would not aid the Court in ruling on the motion.

Respectfully submitted,



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Thomas E. Dudley, III (SC Bar # 66154)  
M. Stokely Holder (SC Bar # 73892)  
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Attorney for Appellant

November 21, 2012  
Greenville, SC

IN THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

The Honorable Ellis B. Drew, Jr., Master-in-Equity

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Case No. 2007-CP-04-2785

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Of whom Enterprise Bank of South Carolina is the .....Appellant.

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**PROOF OF SERVICE**

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The undersigned hereby certifies that a true copy of the Appellant's Motion for Extension of Time in the above-referenced case has been served on all parties of record by mailing a copy of same in the United States mail, postage prepaid this 21 day of November, 2012 addressed as follows:

David J. Brousseau  
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P.O. Box 197  
Anderson, SC 29622  
*Attorney for Craft Construction Company, Inc. of Starr*

James W. Logan, Jr.  
Logan, Jolly & Smith  
P.O. Box 259  
Anderson, SC 29622

-And-

Stanley E. Barnett  
Smith Bundy Bybee & Barnett, PC  
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C. Nicholas Lavery  
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Clemson, SC 29633  
*Attorney for Angelo Penza*



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**F. LEE PRICKETT, III**  
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November 21, 2012

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

Re: Moorhead Construction, Inc. vs. Pendleton Station, LLC, et al.  
Of Whom Enterprise Bank of South Carolina is the Appellant  
Appeal from Anderson County  
Case No.: 2007-CP-04-2784  
Appellate Case No.: 2012-213225

To Whom It May Concern:

Please find enclosed an original and six (6) copies of Appellant's Motion to Extend the Time to File and Certificate of Service in the above referenced matter, as well as our check in the sum of \$25.00 as and for the filing fee.

Please do not hesitate to call if you have any questions.

Very truly yours,

KENISON, DUDLEY & CRAWFORD, LLC



Helen Cotrone  
Legal Assistant

cc: David J. Brousseau  
James W. Logan, Jr.  
Stanley E. Barnett  
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