

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
R. Ferrell Cothran, Jr., Circuit Court Judge

Lower Court Case No. 13-CP-40-0319 / Appellate Case No. 2017-000902

Daniel O'Shields and Roger W.
Whitley, A Partnership d/b/a O&W Cars,

Appellants,

RECEIVED

AUG 07 2017

SC Court of Appeals

v.

Columbia Automotive Company,
LLC d/b/a Midlands Honda,

Respondent.

APPELLANTS' MOTION TO TOLL AND EXTEND DEADLINES

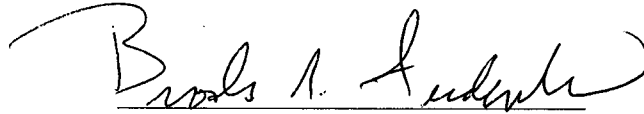
The Notice of Appeal in this case was served on April 13, 2017. Subsequently, on June 2, Judge Cothran, via his law clerk, indicated that he would be ruling on the sole remaining motion in this case. It would make sense if that order were to be consolidated for appeal with the prior orders in this case, and rather than have two sets of briefs, one for the prior orders and one for the forthcoming order, it would increase judicial economy, save attorney time, and decrease expenses to consolidate prior to the submission of briefs. Accordingly, Appellants respectfully request that the time frames in the current appeal be tolled pending the trial judge's decision on the outstanding motion, and that Appellants be granted thirty days from receipt of written notice of the entry of judgment regarding that motion to prepare their Initial Brief.

Appellants received an electronic version of the transcript on July 11 and a printed copy on July 17.



The undersigned has communicated by email with counsel for Defendant. Defense counsel responded by email but did not consent to this motion.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Brooks R. Fudenberg". The signature is written in a cursive style with a large initial "B" and a long, sweeping underline.

August 4, 2017

Brooks R. Fudenberg
Law Office of Brooks R. Fudenberg LLC
171 Church Street, Suite 170 Charleston, SC 29401
843-416-2558

Attorney for Appellants

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

R. Ferrell Cothran, Jr., Circuit Court Judge

Lower Court Case No. 13-CP-40-0319 / Appellate Case No. 2017-000902

Daniel O'Shields and Roger W.
Whitley, A Partnership d/b/a
O&W Cars,

Appellants,

v.

Columbia Automotive Company,
LLC d/b/a Midlands Honda,

Respondent.

RECEIVED

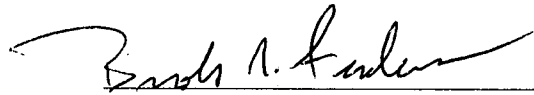
AUG 07 2017

SC Court of Appeals

PROOF OF SERVICE

I certify that I have served Appellants' foregoing Motion to Toll and Extend Deadlines on Columbia Automotive Company, LLC d/b/a Midlands Honda by depositing a copy of it in the United States Mail, postage prepaid, on today's date, addressed to its attorney of record Harry Clayton Walker Jr., Esq., Walker & Reibold, LLC, PO Box 61140, Columbia, SC 29260.

August 4, 2017



Brooks R. Fudenberg
Law Office of Brooks R.
Fudenberg LLC
171 Church Street, Suite 160
843-416-2558

LAW OFFICE OF BROOKS R. FUDENBERG, LLC

171 Church Street, Suite 160
Charleston, South Carolina 29401
BRF@FudenbergLaw.com
Tel. 843-416-2558
eFax: 1-910-401-1242

August 4, 2017

RECEIVED

AUG 07 2017

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Daniel O'Shields and Roger W. Whitley, A Partnership d/b/a O&W Cars, Appellants, v.
Columbia Automotive Company, LLC d/b/a Midlands Honda, Respondent.
Case No: 2013-CP-40-0319 / Appellate Case No. 2017-000902

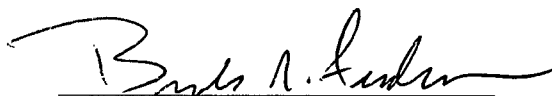
Dear Ms. Kitchings:

Enclosed for filing are:

- (1) An original and seven copies of Appellants' Motion to Toll and Extend Deadlines;
- (2) An original and a copy of proof of service of the Motion on the Respondent;
- (3) A filing fee of \$25.00; and
- (4) A return envelope.

Please file the originals and return copies of the motion and proof of service in the enclosed envelope.

Sincerely,



Brooks R. Fudenberg
Law Office of Brooks R. Fudenberg-LLC
Attorney for Appellants

cc: Harry Clayton Walker Jr., Esq. Robert Reibold, Esq. Sarah Spruill, Esq.
James Y. Becker, Esq. C. Steven Moskos, Esq. Hon. R. Ferrell Cothran, Jr.
Hon. Jeanette W. McBride, Clerk, Richland County Courts

Law office of Brooks R. Fudenberg LLC
171 Church St, Suite 1600
Charleston SC 29401

RECEIVED

AUG 07 2017

SC Court of Appeals

Hon. Jenny Abbott Kitchin
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

