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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

John D. McLeod, Administrative Law Judge

**RECEIVED**

Case No. 09-ALC-07-0069-CC

AUG 17 2017

**SC Court of Appeals**

Town of Arcadia Lakes, Robert L. Jackson, Linda Z. Jackson, Robert E. Williams, Barbara S. Williams, Elizabeth M. Walker, Louis E. Spradlin, Mary Helen Spradlin, Thomas Hutto Utsey, Tony Sinclair, Aaron Small, Bette Small, Gene F. Starr, M.D., Elaine J. Starr, Sanford T. Marcus, Ruth L. Marcus, and Steven Brown. . . . . Petitioners,

Of Which Town of Arcadia Lakes is . . . . . Appellant/Respondent,

v.

South Carolina Department of Health and Environmental Control. . . . . Respondents,

and

Roper Pond, LLC . . . . . Respondent/Appellant.

**RESPONDENT/APPELLANT'S MOTION FOR EXTENSION OF TIME**

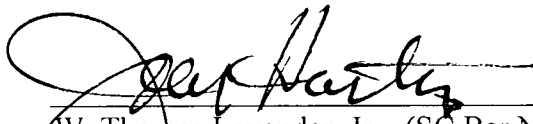
Respondent/Appellant Roper Pond, LLC ("Roper Pond") moves, pursuant to Rules 240 and 263(b), SCACR, for an extension of time to file and service Appellant's initial brief of Respondent/Appellant ("Initial Brief") in this matter. Pursuant to Rule 208, SCACR, the deadline for Roper Pond to file its Initial Brief is August 21, 2017. Roper Pond respectfully requests a 30-day extension to September 20, 2017, of file its Initial Brief. The grounds for this motion are that the Counsel for Roper Pond has been out of the state with family commitments and has had multiple document production deadlines in other cases in the last two weeks.

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The undersigned Counsel for Roper Pond has consulted with Counsel for Appellant/Respondent Town of Arcadia Lakes who has graciously consented to this motion. Additionally, Roper Pond understands that Appellant/Respondent Town of Arcadia Lakes plans to move for an extension. Roper Pond has consented to that motion.

Respectfully submitted,

August 17, 2017



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W. Thomas Lavender, Jr. (SC Bar No. 3143)  
Joan W. Hartley (SC Bar No. 72735)  
NEXSEN PRUET, LLC  
1230 Main St., Ste. 700 (29201)  
Post Office Drawer 2426  
Columbia, South Carolina 29202  
(803) 771-8900

Attorneys for Respondent-Appellant Roper Pond,  
LLC

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v.

South Carolina Department of Health and Environmental Control and  
Roper Pond, LLC . . . . .  
Respondents,

Of Whom

Town of Arcadia Lakes is . . . . . Appellant-Respondent,  
and

South Carolina Department of Health and Environmental Control. . . . . Respondent,  
and

Roper Pond, LLC is . . . . . Respondent-Appellant.

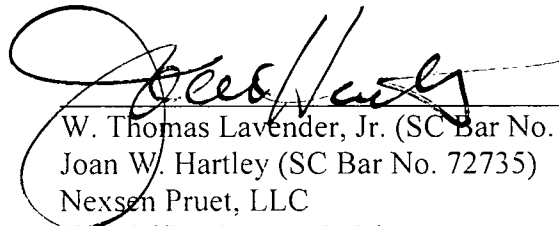
**PROOF OF SERVICE**

I certify that I have served the Respondent/Appellant Roper Pond, LLC's Motion for Extension of Time on counsel of record for South Carolina Environmental Law Project and South Carolina Department of Health and Environmental Control by depositing a copy of it in the United States Mail, postage prepaid, on August 17, 2017, addressed to:

Stephen P. Hightower, Esquire  
Office of General Counsel  
South Carolina Department of Health  
and Environmental Control  
2600 Bull Street  
Columbia, SC 29201

Amy E. Armstrong, Esquire  
South Carolina Environmental Law  
Post Office Box 1380  
Pawleys Island, SC 29585  
430 Highmarket Street  
Georgetown, SC 29440

August 17, 2017



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Attorneys for Respondent-Appellant Roper Pond,  
LLC

Joan W. Hartley  
Special Counsel  
Admitted in SC, NC

August 17, 2017

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AUG 17 2017

SC Court of Appeals

HAND DELIVERED

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

Re: *Town of Arcadia Lakes, et al. v. South Carolina Department of  
Health and Environmental Control and Roper Pond, LLC*  
Docket No. 09-ALC-07-0069-CC  
Appellate Case No. 2017-001554

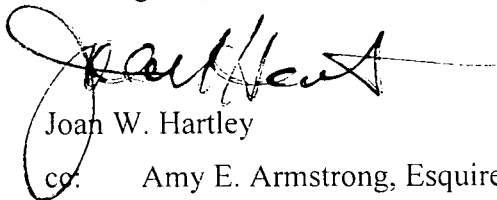
Charleston  
Charlotte  
**Columbia**  
Greensboro  
Greenville  
Hilton Head  
Myrtle Beach

Dear Ms. Kitchings:

Enclosed for filing please find the original and seven (7) copies of Respondent/Appellant Roper Pond, LLC's Motion for Extension of Time and Proof of Service in the above-referenced matter. Also enclosed is our firm's check in the amount of \$25 for the filing fee. Please return a clocked copy of each to us via our courier.

We appreciate your assistance in this matter.

Best regards,



Joan W. Hartley

cc: Amy E. Armstrong, Esquire  
Stephen P. Hightower, Esquire