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**STAN BARNETT**

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November 27, 2017

**RECEIVED**  
NOV 30 2017  
SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
Clerk, S.C. Court of Appeals  
1220 Senate Street  
Columbia, S.C. 29201

RE: Athan Fokas v. Phillip Ferderigos, Jacob Ferderigos and Spiros Ferderigos  
Case No. 2015-CP-10-3919  
Appellate Case No. 2017-002370

Dear Ms Kitchings:

Please allow this correspondence to serve as Appellant, Athan Fokas' First Request for a Sixty (60) Day Extension of Time in Which to File the Initial Brief of Appellant pursuant to Rule 263(b), SCACR, which is currently due on December 20, 2017. A grant of this request would require service of the Initial Brief of Appellant on or before February 20, 2018. This request is a companion request to that shortly to be filed by the opposing parties, who are appealing another order entered in the same case, Appellate Case No. 2017-002032. Attached is a copy of opposing counsel's email confirming their consent to having the due dates for initial briefs in both appeals extended for 60 days. This should smooth consolidation of the appeals of both orders which involve essentially the same record and transcript. It will also avoid any party having to rush completion of briefs during the holiday season. Please find enclosed my check in the amount of Twenty-five and No/100 (\$25.00) Dollars representing the fee for this request.

By copy of this letter, I am notifying all counsel of record of this request. If you have any questions, please do not hesitate to contact me.

With kindest regards, I remain

Sincerely,

  
Stan Barnett

✓

Cc: Counsel of Record

## Stan Barnett

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**From:** Jeremy Bowers <jbowers@barnwell-whaley.com>  
**Sent:** Tuesday, November 28, 2017 10:48 AM  
**To:** Stan Barnett; 'Thiem, Jennifer H.'  
**Cc:** 'Andy Haselden'  
**Subject:** RE: Fokas vs. Ferderigos (Appeal)

Stan, thanks for the response and consent. We will get our motion filed with the Court of Appeals. I have not spoken with Spiros/Phillip about consolidating the appeals, but it makes sense to me. I will speak with them about it and get back to you. If you happen to speak with the clerk about it, please let me know what they suggest procedurally. Again, thanks for the consent to the extension, and of course, we are happy to grant you the same courtesy when you need it. Thanks, and best wishes...

Jeremy

**From:** Stan Barnett [mailto:Stan.Barnett@yahoo.com]  
**Sent:** Tuesday, November 28, 2017 10:33 AM  
**To:** Jeremy Bowers <jbowers@barnwell-whaley.com>; 'Thiem, Jennifer H.' <Jennifer.Thiem@klgates.com>  
**Cc:** 'Andy Haselden' <ahaselden@hnblaw.com>  
**Subject:** RE: Fokas vs. Ferderigos (Appeal)

I will certainly consent to that. I think we also need to have a dialogue about joining both appeals together in some way that makes sense. I have not spoken to the clerk's office on what they would prefer but I have found them very helpful in the past on issues like that.

**From:** Jeremy Bowers [mailto:jbowers@barnwell-whaley.com]  
**Sent:** Tuesday, November 28, 2017 9:18 AM  
**To:** Stan Barnett (Stan.Barnett@yahoo.com) <Stan.Barnett@yahoo.com>  
**Subject:** Fokas vs. Ferderigos (Appeal)

Stan, I hope you had a great Thanksgiving and are doing well. Our initial brief and designation of matter to be included on appeal are due Monday, December 4th in our clients' appeal of the order granting summary judgment against Phillip's and Spiros' defamation claims. Dawes has a multi week trial starting before Judge Gergel on the 4<sup>th</sup> and given the upcoming holidays, we kindly ask for your consent to a sixty (60) day extension of time to serve the initial brief and designation of matter to be included on appeal in those appeals. This would make them due February 2, 2018. Of course, we would provide you the same courtesies when your initial brief comes due in both this appeal and Mr. Fokas' appeal of the breach of contract summary judgment order.

Thank you for your consideration, and if you have any questions or care to discuss, please do not hesitate to call or e-mail me. Thanks, and best wishes...

Jeremy

**JEREMY E. BOWERS**  
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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
In the Court of Common Pleas

J. C. Nicholson, Jr., Circuit Court Judge

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Appellate Case No. 2017-002370

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SC Court of Appeals

Athan Fokas,.....Appellant,

v.

Phillip Ferderigos, Jacob Ferderigos, and Spiros Ferderigos,.....Respondents.

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PROOF OF SERVICE

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I certify that I have served the Appellant's Request for an extension of time to file the initial brief on Respondents by depositing a copy of it in the United States Mail or UPS, postage prepaid on November 28, 2017 addressed to their attorneys of record as listed below and by electronic delivery to the same.

November 28, 2017



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