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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM PICKENS COUNTY
Court of Common Pleas

RECEIVED

DEC 15 2017

Perry H. Gravely, Circuit Court Judge

SC Court of Appeals

Case No. 2017-002347

EPS Advisors, LLC Respondent,

vs.

Jan Fredman and Clemson-EPS Advisors, LLC Appellants.

APPELLANTS'
MOTION FOR EXTENSION OF TIME
TO FILE INITIAL BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL

The undersigned, counsel for the Appellants, hereby moves for an extension of time to file ***Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal*** which is currently due ***December 29, 2017***. The Transcript of Record was received through email transmission from Deborah Garrison, Court Reporter, on November 29, 2017. Copy of said email is attached hereto as Exhibit A.

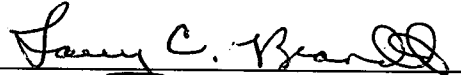
The grounds for this Motion are due to the fact that counsel's litigation schedule during the month of December, together with the upcoming Christmas holidays and his office being closed certain dates for same, has not and does not

allow him sufficient time to appropriately prepare and serve the Initial Brief and Designation of Matter as required.

Appellants' attorney would show that he has communicated with Respondent's counsel, Candy Kern-Fuller, regarding this request via email communication and Respondent's counsel has consented to same. Copy of said email communication is attached hereto as Exhibit B.

Based upon the facts set forth herein, Appellants request a **thirty (30) day** extension of time to file the **Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal** with the Court making the due date **January 28, 2018**.

Respectfully submitted,



Larry C. Brandt (S.C. Bar #856)

Larry C. Brandt, P.A.

P.O. Box 738

3691 Blue Ridge Blvd.

Walhalla, SC 29691

864/638-5406

864/638-7873 (fax)

lcb.brandtlawfirm@att.net

December 13, 2017
Walhalla, South Carolina

THE STATE OF SOUTH CAROLINA
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APPEAL FROM PICKENS COUNTY
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Case No. 2017-002347

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EPS Advisors, LLC Respondent,

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PROOF OF SERVICE
(APPELLANTS' MOTION FOR EXTENSION
OF TIME TO FILE INITIAL BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL)

I certify that I have served **APPELLANTS' MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** upon the **Respondent**, by depositing a copy of same in the United States Mail, postage prepaid, addressed to its attorneys of record as follows:

Candy Kern-Fuller
Upstate Law Group, LLC
200 E. Main Street
Easley, South Carolina 29640
(864) 855-3114
Attorney for Respondent

Sarah Meadows Gable
Attorney at Law
125 Chandler Drive
Liberty, South Carolina 29657
Attorney for Respondent

Larry C. Brandt, P.A.
P.O. Box 738
3691 Blue Ridge Blvd.
Walhalla, SC 29691
864/638-5406
Attorney for Appellants

December 13th, 2017

By: Debra C. Miller
Debra C. Miller, Paralegal

Debra Miller

From: Garrison, Deborah <DGarrison@sccourts.org>
Sent: Wednesday, November 29, 2017 10:13 AM
To: Debra Miller
Subject: Re: Hearing 10/13/2017 in Pickens County - Case #2013CP3900434
Attachments: 10 13 17 EPS v Fredman Hearing.pdf

Good morning, Debra:

Attached is the transcript of the hearing on 10 13 17 requested.

The original, certified copy go out in the mail to your attention.

Best regards

Deborah Garrison, Circuit Court Reporter 13th Judicial Circuit P O Box 27145
Greenville, SC 29616
(864) 350-7548

From: Debra Miller <debra@larrybrandt.com>
Sent: Wednesday, November 15, 2017 3:45 PM
To: Garrison, Deborah
Subject: RE: Hearing 10/13/2017 in Pickens County - Case #2013CP3900434

Thanks! I will get deposit to you shortly and will contact Clerk for exhibits.
Deb

-----Original Message-----

From: Garrison, Deborah [mailto:DGarrison@sccourts.org]
Sent: Wednesday, November 15, 2017 2:09 PM
To: Debra Miller <debra@larrybrandt.com>
Subject: Re: Hearing 10/13/2017 in Pickens County - Case #2013CP3900434

Debra:

I got your letter today requesting a copy of the OCTOBER 13, 2017 hearing. A review of the record indicates a deposit in the amount of \$136.65 is required to accept your request (regular delivery in 60 days) or \$176.65 (expedited delivery in ten to fifteen days). Your request will be accepted once a valid deposit is received. No requests are accepted without prepayment.

Mr. Brandt's letter indicated he also wants exhibits and would like copies of exhibits for the previous hearing of 11/3/16. Exhibits are retained by the Clerk of Court and you will have to make arrangements with them for copies.

Please advise when check is sent. Thank you.

Deborah Garrison, Circuit Court Reporter 13th Judicial Circuit P O Box 27145
Greenville, SC 29616
(864) 350-7548

From: Debra Miller <debra@larrybrandt.com>
Sent: Wednesday, November 8, 2017 10:25 AM
To: Garrison, Deborah
Subject: Hearing 10/13/2017 in Pickens County - Case #2013CP3900434

Good morning,
Hope you're doing well!
Were you the Court Reporter for the EPS v. Fredman Motion for Reconsideration on 10/13/2017? Thanks, Deb

Debra C. Miller, Paralegal
Larry C. Brandt, P.A.
P.O. Box 738
3691 Blue Ridge Blvd.
Walhalla, SC 29691
864/638-5406
864/638-7873 (fax)
debra@larrybrandt.com

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**Debra Miller**

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**From:** Larry Brandt <lcb.brandtlawfirm@att.net>  
**Sent:** Monday, December 11, 2017 10:01 AM  
**To:** Debra Miller  
**Subject:** FW: Initial brief: Eps Advisors v. Fredman and Clemson Eps Advisors.

**Larry C. Brandt**  
**Attorney at Law**  
Larry C. Brandt, P.A.  
3691 Blue Ridge Blvd.  
P.O. Box 738  
Walhalla, SC 29691  
Office: (864)638-5406  
Fax: (864)638-7873  
[lcb.brandtlawfirm@att.net](mailto:lcb.brandtlawfirm@att.net)

**From:** Candy M. Kern-Fuller, Esq. [mailto:candy@upstatelawgroup.com]  
**Sent:** Monday, December 11, 2017 9:45 AM  
**To:** 'Larry Brandt' <lcb.brandtlawfirm@att.net>  
**Cc:** paralegal@upstatelawgroup.com  
**Subject:** RE: Initial brief: Eps Advisors v. Fredman and Clemson Eps Advisors

I don't have a problem with that. I'll be filing our Notice of Appeal with the Court of Appeals and the Circuit Court pursuant to SCRAP 203 that I previously sent to you. In accordance with SCRAP 206, I will be asking that they provide us a briefing schedule. In doing so, I can request that they provide such an extension, if you would like.

Candy Kern-Fuller, Esq.  
Upstate Law Group, LLC  
200 East Main Street  
Easley, South Carolina 29640  
[\(864\) 855-3114](tel:(864)855-3114)  
[\(864\) 855-3446](tel:(864)855-3446) (facsimile)

**\*\* CERTIFIED MEDIATOR AND ARBITRATOR FOR OVER 15 YEARS \*\***

CONFIDENTIALITY NOTE: THIS EMAIL WAS SENT FROM A LAW FIRM. IT MAY CONTAIN PRIVILEGED OR CONFIDENTIAL INFORMATION AND IS INTENDED SOLELY FOR THE USE OF THE PERSON(S) NAMED ABOVE OR THE PERSON(S) WHO IS THE INTENDED RECIPIENT OF THE MESSAGE. IF YOU ARE NOT AN INTENDED RECIPIENT OF THIS EMAIL, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION OR DUPLICATION OF THIS E-MAIL IS PROHIBITED AND THAT THERE SHALL BE NO WAIVER OF ANY PRIVILEGE OR CONFIDENCE BY YOUR RECEIPT OF THIS TRANSMISSION. IF YOU HAVE RECEIVED THIS E-MAIL IN ERROR, PLEASE NOTIFY US BY COLLECT TELEPHONE CALL OR FAX TO THE NUMBER INDICATED ABOVE.

**This firm is a debt collector attempting to collect a debt. Any information obtained will be used for that purpose**

EXHIBIT B

**From:** Larry Brandt (<mailto:lcb.brandtlawfirm@att.net>)

**Sent:** Monday, December 11, 2017 9:36 AM

**To:** [candy@upstatelawgroup.com](mailto:candy@upstatelawgroup.com)

**Subject:** Initial brief: Eps Advisors v. Fredman and Clemson Eps Advisors

Candy,

My initial brief and designation of matter in the above referenced appeal is due on December 29. With the holidays and my litigation schedule it is going to be necessary that I request a 30 day extension. Do you have any objections to such extension?

**Larry C. Brandt**

**Attorney at Law**

Larry C. Brandt, P.A.

3691 Blue Ridge Blvd.

P.O. Box 738

Walhalla, SC 29691

Office: (864)638-5406

Fax: (864)638-7873

[lcb.brandtlawfirm@att.net](mailto:lcb.brandtlawfirm@att.net)

**LARRY C. BRANDT, P.A.**

ATTORNEY AT LAW

P.O. Box 738

3691 Blue Ridge Boulevard  
Walhalla, South Carolina 29691

Phone: (864) 638-5406

Facsimile: (864) 638-7873

Larry C. Brandt

lcb.brandtlawfirm@att.net

December 13, 2017

**RECEIVED**

DEC 15 2017

SC Court of Appeals

The Honorable Jenny Abbott Kitchings, Clerk  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

**Re: EPS Advisors, LLC vs. Jan Fredman  
and Clemson-EPS Advisors, LLC  
Appellate Case #2017-002347**

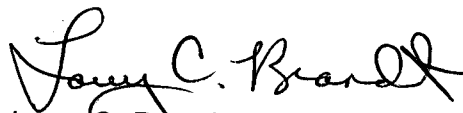
Dear Ms. Kitchings:

I represent the **Appellants** in the above matter. **Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal** are due to be filed with the Court **on December 29, 2017**; however, I am unable to meet this filing deadline.

Enclosed are the original and six (6) copies of my **Motion for Extension** requesting a **thirty (30) day** extension of time to file these documents making the due date **January 28, 2018**. I have communicated, via email communication with Candy Kern-Fuller, Respondent's attorney of record, concerning my request for this extension and she states she does not object. I have also enclosed my check in the amount of \$25.00 to cover the extension request.

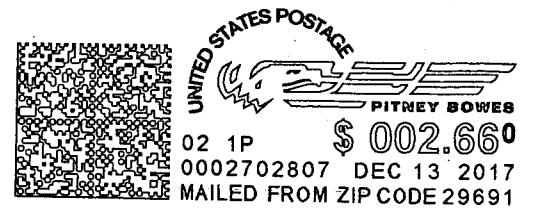
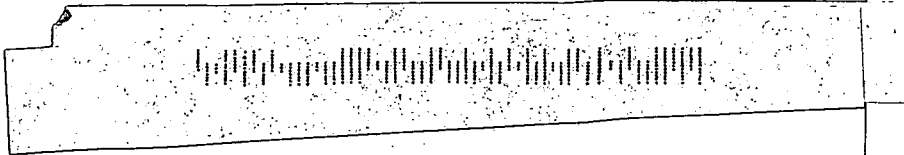
I trust you will find everything in order; however if you have questions or need additional information, please let me know. Thank you for your considerations in this matter.

**LARRY C. BRANDT, P.A.**

  
Larry C. Brandt  
Attorney

LCB/dcm  
Enclosures

cc: Ms. Candy Kern-Fuller  
Ms. Sarah Meadows Gable  
**Attorneys for Respondent**



**LARRY C. BRANDT, P.A.**  
3691 Blue Ridge Boulevard  
P.O. Box 738  
Walhalla, SC 29691



THE HONORABLE JENNY ABBOTT KITCHINGS CLERK  
SOUTH CAROLINA COURT OF APPEALS  
PO BOX 111629  
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