

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM Horry COUNTY
Court of Common Pleas

Karl A. Folkens, Special Referee
Fifteenth Judicial Circuit

RECEIVED
DEC 20 2017
SC Court of Appeals

Case Nos. 2015-CP-26-1084 / 2013-CP-26-5530 (combined)
Appellate Case No. 2017-001646

Jericho State Capital Corp. of Florida, Plaintiff
v.
Chicago Title Insurance Company, Defendant

AND

Lynx Jericho Partners, LLC, Plaintiff
v.
Chicago Title Insurance Company, Defendant

OF WHOM:

Jericho State Capital Corp. of Florida and Lynx Jericho Partners, LLC
are the APPELLANTS

and

Chicago Title Insurance Company is theRESPONDENT.

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

Pursuant to the South Carolina Appellate Court Rules, Respondent, Chicago Title Insurance Company, by and through its undersigned counsel, hereby moves the Court for an order granting Respondent a 30-day extension of time, until February 1, 2018, in which to file



and serve Respondent's Initial Brief and Designation of Matter. Respondent's Initial Brief and Designation of Matter are currently due January 2, 2018. Respondent would submit this extension is necessary due to the following:

1. Respondent's counsel has been diligently working on Respondent's Initial Brief and Designation of Matter. The issues on appeal are complex and of significant importance. The current draft of the Initial Brief exceeds 35 pages and the final version is expected to be 45-50 pages. However, due to counsel's work commitments and the time necessarily devoted to briefing the complex issues presented in this appeal, as well as the upcoming Christmas and New Year holidays, counsel does not anticipate being able to finalize the Initial Brief and Designation of Matter prior to the current deadline of January 2, 2018. Moreover, even if the undersigned was able to complete the Initial Brief before January 2, 2018, the undersigned does not anticipate that his client, Respondent, will have sufficient time to review and approve the Initial Brief prior to the current deadline of January 2, 2018.

2. As to the undersigned's work commitments, the undersigned was unexpectedly retained on November 17, 2017, to be involved in a case pending in Horry County since 2015, which has consumed a substantial portion of the undersigned's time and was unforeseen to the undersigned when the last motion for an extension was filed in this case. That case is captioned *Condo-World Development, LLC, et al v. Myrtle Beach Golf & Yacht Club Association, Inc.*, Case No. 2015-CP-26-3173, which is related to Appellate Case No.: 2017-002196. A separate notice of appeal was filed in latter case on December 19, 2017, and the undersigned will be filing a motion to dismiss the appeal on December 21, 2017.¹

3. In addition, the undersigned took three previously scheduled depositions on

¹ The undersigned is not aware if a new appellate case number will be issued as to the newly filed Notice of Appeal.

December 1, 2017, that started at 10:00 a.m. and ended at 7:00 p.m.; took a deposition in Greenville on December 6, 2017; participated in a full-day mediation in Columbia on December 7, 2017; participated in a full-day mediation in Myrtle Beach on December 12, 2017; was involved in a full-day deposition in Myrtle Beach on December 14, 2017; and was involved in a full-day mediation in York on December 18, 2017. In addition, the undersigned is scheduled to attend depositions in Myrtle Beach that other lawyers scheduled to take place on December 28, 2017, and December 29, 2017, but which the undersigned believes may not take place, but have not yet been canceled.

4. In addition, one of the undersigned's colleagues, an associate, to whom the undersigned has assigned essential work, but not on this matter, became ill last week with a very serious eye issue, causing the undersigned's workload to increase.

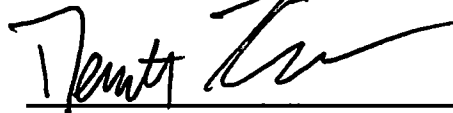
5. Finally, the undersigned plans to take his family on a short vacation on December 30, 2017, over the New Year's holiday, returning to the office on January 3, 2018, whereupon the undersigned is scheduled to appear for three motions in Conway on January 3, 2018, and three motions in Conway on January 4, 2018.²

6. Respondent further submits no prejudice will inure to the Appellants by the granting of this Motion.

² The undersigned also is scheduled to appear for a motion in Fairfield County on January 4, 2018, but one of his partners is currently expected to cover that hearing.

Respectfully submitted,

CALLISON TIGHE & ROBINSON, LLC



Demetri K. Koutrakos
1812 Lincoln Street, Suite #200
P. O. Box 1390
Columbia, SC 29202-1390
Telephone: 803-404-6900
Email: jimkoutrakos@callisontighe.com

Attorneys for Respondent

December 20, 2017

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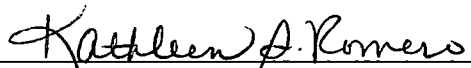
and

Chicago Title Insurance Company is theRESPONDENT.

CERTIFICATE OF SERVICE

I, Kathleen S. Romero, an employee of Callison Tighe & Robinson LLC, Attorneys for the Respondent, do hereby certify that, on this date, I caused to be served a copy of the **Respondent's Motion for Extension of Time** upon Appellants' counsel, by depositing a copy of the same in the United States mail, with proper first-class postage affixed thereon, addressed as follows:

C. Scott Masel, Esquire
Fred B. Newby, Esquire
Newby, Sartip, Masel & Casper, LLC
4593 Oleander Drive, Suite #100
P. O. Box 808
Myrtle Beach, SC 29578


Kathleen S. Romero

December 20, 2017

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Demetri "Jim" K. Koutrakos

803.404.6900

JimKoutrakos@callisontighe.com

December 20, 2017

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SC Court of Appeals

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
P. O. Box 11629
Columbia, SC 29201

RE: Jericho State Capital Corp. of Florida vs. Chicago Title Insurance Company
Lynx Jericho Partners, LLC vs. Chicago Title Insurance Company
Appellate Case No. 2017-001646

Dear Ms. Kitchings:

Enclosed herewith please find an original and seven (7) copies of Respondent's Motion for Extension of Time in the above-referenced matter. Kindly file the same and return a clocked-in copy to the courier. This firm's check in the amount of \$25 is enclosed in payment of the required filing fee.

By copy of this letter, the enclosed Motion is being served upon Appellants' counsel.

Please feel free to contact my office with any questions.

With kind regards, I am

Sincerely yours,

~~CALLISON TIGHE & ROBINSON, LLC~~



Demetri "Jim" K. Koutrakos

DKK:ksr

Enclosures

cc (w/enc.): C. Scott Masel, Esquire
Fred B. Newby, Esquire

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