

STAN BARNETT

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January 17, 2018

RECEIVED
JAN 18 2018
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 Nos. 2017-002370
2017-002032
2017-002034

Dear Ms Kitchings:

Please allow this correspondence to serve as Appellant, Athan Fokas' Second Request for an Extension of Time in Which to File the Initial Brief of Appellant in Appeal No. 2017-002370 pursuant to Rule 263(b), SCACR, which is currently due on February 2, 2018. By this request, Appellant is asking for an addition 30 day extension. A grant of this request would require service of the Initial Brief of Appellant on or before March 5, 2018. This request is a companion request to that shortly to be filed by the opposing parties, who are pursuing appeals arising in the same case, Appellate Case No. 2017-002032 and 000234. Attached is a copy of opposing counsel's email confirming their request and consent to having the due dates for initial briefs in both appeals extended for 30 days. This should smooth consolidation of all the appeals which involve essentially the same record and transcript. 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,

A handwritten signature in black ink, appearing to read "Stan Barnett". The signature is written in a cursive style with a large, prominent initial "S" and a long horizontal stroke extending to the right.

Stan Barnett

Cc: Counsel of Record

Stan Barnett

From: Thiem, Jennifer H. <Jennifer.Thiem@klgates.com>
Sent: Wednesday, January 17, 2018 10:38 AM
To: Andy Haselden; Jeremy Bowers
Cc: Stan Barnett
Subject: RE: Fokas vs. Ferderigos

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We will prepare letter and forward \$25. Thank you.

From: Andy Haselden [mailto:ahaselden@hnblaw.com]
Sent: Wednesday, January 17, 2018 10:07 AM
To: Jeremy Bowers; Thiem, Jennifer H.
Cc: Stan Barnett
Subject: RE: Fokas vs. Ferderigos

They are good with it being by letter so long as they get their \$25. Make sure to mention that everyone consents.

From: Jeremy Bowers [mailto:jbowers@barnwell-whaley.com]
Sent: Tuesday, January 16, 2018 2:02 PM
To: Andy Haselden <ahaselden@hnblaw.com>; Thiem, Jennifer H. <Jennifer.Thiem@klgates.com>
Cc: Stan Barnett <stan.barnett@yahoo.com>
Subject: RE: Fokas vs. Ferderigos

There are 3 tracking numbers:

2017-002032
2017-002034
2017-002370

From: Andy Haselden [mailto:ahaselden@hnblaw.com]
Sent: Tuesday, January 16, 2018 2:00 PM
To: Thiem, Jennifer H. <Jennifer.Thiem@klgates.com>
Cc: Stan Barnett <stan.barnett@yahoo.com>; Jeremy Bowers <jbowers@barnwell-whaley.com>
Subject: RE: Fokas vs. Ferderigos

Someone shoot me tha appeal tracking number and I'll do it. It's better coming from an attorney than an assistant.

From: Thiem, Jennifer H. [mailto:Jennifer.Thiem@klgates.com]
Sent: Tuesday, January 16, 2018 1:57 PM
To: Andy Haselden <ahaselden@hnblaw.com>
Cc: Stan Barnett <stan.barnett@yahoo.com>; Jeremy Bowers <jbowers@barnwell-whaley.com>
Subject: RE: Fokas vs. Ferderigos

I will ask my assistant.

From: Andy Haselden [mailto:ahaselden@hnblaw.com]
Sent: Tuesday, January 16, 2018 1:33 PM
To: Thiem, Jennifer H.

Cc: Stan Barnett; Jeremy Bowers
Subject: Re: Fokas vs. Ferderigos

Would one of you please call whichever deputy clerk is assigned to this case and ask very nicely if we can just request it via letters with \$25 each or whether we have to actually file a motion?

Thanks.

Andrew E. Haselden
Shareholder / Certified Circuit Court Mediator
215 East Bay Street / Suite 303 / Charleston, SC 29401
P: (843) 216-6940
F: (843) 216-6942
T/F: (877) 216-6970
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E-mail: ahaselden@hnblaw.com

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On Jan 16, 2018, at 1:25 PM, Thiem, Jennifer H. <Jennifer.Thiem@klgates.com> wrote:

Andy,

I would be appreciative of the same extension on behalf of Phillip.

Thank you,
Jennifer

From: Andy Haselden [<mailto:ahaselden@hnblaw.com>]
Sent: Tuesday, January 16, 2018 1:24 PM
To: Stan Barnett
Cc: Jeremy Bowers; Thiem, Jennifer H.
Subject: Re: Fokas vs. Ferderigos

I'm fine with that so long as everyone is asking for the same extension. Otherwise it gets too complicated trying to respond.

Andrew E. Haselden
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On Jan 16, 2018, at 1:21 PM, Stan Barnett <stan.barnett@yahoo.com> wrote:

I have no problem with that but will defer to Andy Haselden who will be handling the appeals for Athan. I will follow up with a call to Andy also.

Sent from my iPhone

On Jan 16, 2018, at 12:36 PM, Jeremy Bowers <jbowers@barnwell-whaley.com> wrote:

Stan, I hope this e-mail finds you doing well, and I hope 2018 has been off to a great start for you. I'm writing to you regarding the initial briefs coming due in the breach of contract appeal. Our briefs are currently due February 2, 2018. Dawes started a multi-week federal court trial today that is expected to go through the end of January and then has a bar convention to start February. Additionally, my wife is due with our first child at the end of February, but due to some complications, the specialists anticipate she will likely be induced at the end of this month or beginning of February depending on how her visits go over the next couple weeks. For these reasons, I'm writing you to see if you will consent to a 30 day extension of time to file our initial brief and designation of matters to be included on the record on appeal, which would make our initial brief due on or before March 5, 2018. As always, we would consent to the same extension to serve your initial brief and designation of matters in Mr. Fokas' appeal. We appreciate your consideration. Thanks, and best wishes...

Jeremy

JEREMY E. BOWERS

BARNWELL WHALEY PATTERSON & HELMS, LLC

288 Meeting Street | Charleston SC 29401 | 843.577.7700 | 843.329-5322

(D)

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<image002.jpg>

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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
In the Court of Common Pleas

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

Appellate Case No. 2017-002370

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SC Court of Appeals

Athan Fokas,.....Appellant,

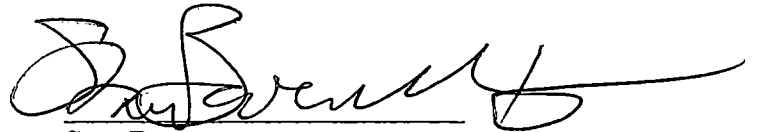
v.

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

PROOF OF SERVICE

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 January 17, 2018 addressed to their attorneys of record as listed below and by electronic delivery to the same.

January 17, 2018



Stan Barnett
305 North Civitas Street
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(843) 884-1031/(843) 708-4887
stan.barnett@yahoo.com
Attorney for Appellant

Counsel of Record:

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rneville@wmalawfirm.net
Attorney for Jacob Ferderigos

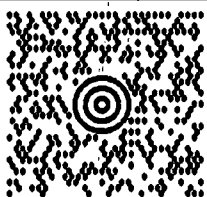
Jennifer H. Thiem, Esquire
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MOUNT PLEASANT SC 29464

0.2 LBS LTR 1 0
SHP WT: LTR
DATE: 17 JAN 2018

SHIP JENNY ABBOTT KITCHINGS
TO: SOUTH CAROLINA COURT OF APPEALS
1220 SENATE ST

COLUMBIA SC 29201-3769



SC 292 9-01



UPS NEXT DAY AIR SAVER 1P
TRACKING #: 1Z 2E5 094 13 1057 0258



BILLING: P/P

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SC Court of Appeals 3.00H ZP 458 93.5U 10/2017



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