

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM RICHALAND COUNTY
Court Of Common Pleas

Jean H. Toal, Circuit Court Judge
DeAndrea G. Benjamin, Circuit Court Judge
James P. Kelly, Arbitrator

RECEIVED

JAN 30 2018

SC Court of Appeals

Case No.: 2014-CP-40-6017
Appellate Case No. 2017-000994

Rajinder Parmar.....Respondent,

vs.

Balbir S. Minhas, Midlands Gastroenterology, PC, and Midlands Endoscopy Center, LLC
..... Appellants


**RESPONDENT'S RETURN TO MOTION FOR EXTENSION OF TIME TO
SERVE AND FILE APPELLANTS' INITIAL BRIEF AND DESIGNATION OF
MATTER TO BE INCLUDED IN APPEAL**

The Respondent Rajinder Parmar ("Respondent") submits this Return in limited opposition to Appellants' Motion for Extension of Time. Counsel for Respondent is sympathetic with the health emergency experienced by Appellants' new counsel. However, the Court's consideration of this request for extension must be balanced with the prejudice imposed on Respondent as a result of the continued delay of this appeal. Appellants filed the Notice of Appeal on April 20, 2017. Since that time, multiple motions have been filed by Appellants' counsel seeking withdrawal as counsel and multiple requests for extensions of time have been requested.

To date, Appellants have yet to file its initial brief. The purpose of this return is not to impose undue hardship on counsel for Appellants and it is recognized that whatever health condition exists was emergent in nature. However, counsel for Appellant is a partner in a large law firm and, upon information and belief, has assistance and resources available to him in this case. A delay until March 19, 2018 will result in this appeal pending almost one full year without any briefing being filed. As such, Respondent requests that the Court take into account the circumstances of all the parties when determining to what extent an extension is warranted.

Respectfully Submitted,

January 30, 2018


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Attorneys for Respondents

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..... Appellants

PROOF OF SERVICE

I, Lacey E. Segars, of Bruner, Powell, Wall & Mullins, LLC, attorneys for the Respondent, do hereby certify that on this 30th day of January 2018, I served the **RESPONDENT'S RETURN TO MOTION FOR EXTENSION OF TIME TO SERVE AND FILE APPELLANTS' INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN APPEAL** upon the Appellants' attorney of record by depositing a copy of the same in U.S. Mail, first class, postage prepaid and addressed as follows:

Robert L. Widener
McNair Law Firm, P.A.
Post Office Box 11390
Columbia, SC 29211

January 30, 2018



Lacey E. Segars

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** Also Admitted in District of Columbia

January 30, 2018

VIA HAND DELIVERY

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

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SC Court of Appeals

**Re: Rajinder Parmar vs. Balbir S. Minhas, Midlands Gastroenterology and
Midlands Endoscopy Center, LLC
Appellate Case No.: 2017-000994
C/A No.: 2014-CP-40-6017
Our File No.: 7-2797.100**

Dear Ms. Kitchings:

I have enclosed the original and seven (7) copies of the **RESPONDENT'S RETURN TO MOTION FOR EXTENSION OF TIME TO SERVE AND FILE APPELLANTS' INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN APPEAL** and a proof of service on counsel for the Appellants. Please stamp one copy and return it with our runner who will be waiting.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

With my kindest regards, I am

Sincerely yours,



Lacey E. Segars
Paralegal to E. Wade Mullins, III, Esq.

Enclosures

cc: Robert L. Widener, Esquire (via U.S. Mail w/enclosures)