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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

R. Ferrell Cothran, Jr., Circuit Court Judge

Appellate Case No. 2017-000902

Daniel O'Shields And Roger W.
Whitley, A Partnership d/b/a O&W Cars,

v.

Columbia Automotive Company,
LLC d/b/a Midlands Honda,

Appellants

Respondent.

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Motion to File Out of Time

Appellants respectfully request to file their enclosed Initial Brief and Designation of Matter a day late. Appellants' fourth extension request was granted on February 9 and expired last night.

In the interim, Appellants' counsel has had to have a hole created in the wall from inside his house to allow access to stop a leak soaking the kitchen floor, only to discover there also needed to be a hole created in the outside wall to remove a larger piece of plumbing. This has required additional meetings with a brick mason and plumber, in addition to previously-planned meetings with remediation specialists and communications with adjusters and independent insurance agent, while taking care of two dogs with special needs which required a day-long visit to the veterinary hospital and other time-consuming needs. He had hoped to complete the brief last night, but was unable to do so.

Respectfully submitted,

February 27, 2018



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Attorney for Appellants

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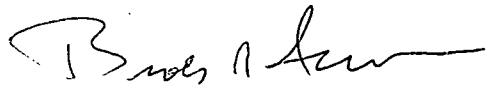
Columbia Automotive Company,
LLC d/b/a Midlands Honda,

Respondent.

PROOF OF SERVICE

I certify that I have served the foregoing Motion to File Out of Time on Columbia Automotive Company, LLC d/b/a Midlands Honda by depositing a copy of it in the United States Mail, postage prepaid, on today's date, addressed to its attorney of record Harry Clayton Walker Jr., Esq., Haynsworth Sinkler Boyd, PA, PO Box 11889, Columbia, SC 29211-1889.

2/27/2018



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The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Daniel O'Shields and Roger W. Whitley A Partnership d/b/a O&W Cars v. Columbia
Automotive Company, LLC d/b/a Midlands Honda
Appellate Case No. 2017-000902

Dear Ms. Kitchings:

Please find enclosed:

- * an original and seven (7) copies of a Motion to File our of Time in this case,
- * an original proof of service regarding the same,
- * a check in the amount of \$25.00 as the filing fee, and
- * an original of the Initial Brief of Appellants in this case;
- * an original Designation of Matter;
- * an original proof of service regarding the Brief and Designation;
- * a copy of this letter; and
- * a self-addressed, stamped envelope.

I ask that you return a stamped copy of this letter in the enclosed self-addressed envelope.

Sincerely,



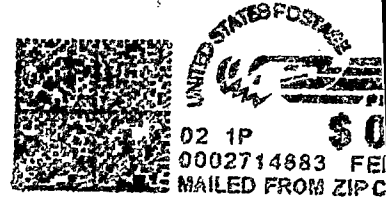
Brooks R. Fudenberg
Law Office of Brooks R. Fudenberg LLC
Attorney for Appellants

cc: Harry Clayton Walker Jr., Esq.
Sarah P. Spruill, Esq.

Robert Reibold, Esq.
C. Steven Moskos, Esq

James Y. Becker, Esq.

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Charleston SC 29401



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SC Court of Appeals

The Hon. JENNY ABBOTT KITCHINGS
Clerk, SOUTH CAROLINA COURT OF APPEALS
PO Box 11629
Columbia SC 29211

