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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM PICKENS COUNTY
Court of Common Pleas

RECEIVED

MAR 30 2018

Perry H. Gravely, Circuit Court Judge

SC Court of Appeals

Case No. 2017-002347

EPS Advisors, LLC Respondent/Appellant,

vs.

Jan Fredman and Clemson-EPS Advisors, LLC ... Appellants/Respondents.

**RESPONDENT'S/APPELLANT'S
MOTION FOR EXTENSION OF TIME
TO FILE INITIAL REPLY BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL,
SERVE THE RECORD ON APPEAL
AND FILE ALL FINAL BRIEFS AND THE RECORD ON APPEAL**

The undersigned moves for an extension of time to file ***Appellants/Respondents' and Respondent/Appellant's Initial Reply Brief and Designation of Matter to be Included in the Record on Appeal***, serve the ***Record on Appeal*** and file all ***Final Briefs*** and the ***Record on Appeal*** with the Court.

In accordance with the filing notice issued by the Court in its letter dated March 1, 2018, the time for serving and filing the Respondents' Initial Briefs and Designation of Matter of both the Appellants/Respondents and

Respondent/Appellant will expire on March 22, 2018; therefore, it appears the Appellants/Respondents' and Respondent/Appellant's Initial Reply Brief and Designation of Matter will be due on or about April 2, 2018; the Record on Appeal will need to be served on or about May 2, 2018; and all Final Briefs and the Record on Appeal will be due to be filed with the Court on or about May 22, 2018.

This Motion is based upon the fact that Mr. Brandt is scheduled to be out of the office March 23, 2018 through April 1, 2018 for a family vacation that has been planned months in advance and cannot be cancelled or rescheduled. Also, Mr. Brandt's paralegal who assists with the appeal work in the firm is scheduled to be out of the office on vacation April 17, 2018 through May 2, 2018. Her plans also have been made months in advance and cannot be cancelled or rescheduled. Furthermore, the undersigned has a fiftieth (50th) birthday family vacation to the West Coast planned from April 5, 2018 through April 17, 2018.

Mr. Brandt communicated his desire for the requested extensions to the undersigned. At that time, the undersigned also advised that she is tentatively scheduled for bi-lateral knee replacement surgery on June 18, 2018, and that will affect her court schedule for several months.

Based upon the facts set forth herein, Respondent/Appellant, requests the following extensions:

- 1: **A *Twenty-Five (25) day* extension of time to file the *Appellants/Respondent's and Respondent/Appellant's Initial Reply Brief and Designation of Matter to be Included in the Record on Appeal* with the Court making the due date *April 27, 2018*;**

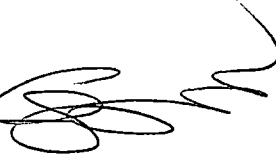
- 2: Making the service of the **Record on Appeal** due **May 29, 2018**;
- 3: Making all **Final Briefs** and **The Record on Appeal** due to the Court on or before **June 18, 2018**.

Respectfully submitted,


Candy M. Kern-Fuller, Esq.

March 29, 2018

I Consent:


Larry C. Brandt, **Attorney for**
Appellants/Respondents

(signed by permission granted per
attached email communication)

Candy M. Kern-Fuller, Esq.

From: Debra Miller <debra@larrybrandt.com>
Sent: Thursday, March 29, 2018 4:36 PM
To: candy@upstatelawgroup.com
Cc: 'Larry Brandt'
Subject: EPS v. Fredman Appeal - Motion for Extension
Attachments: MOT-EXT REPLY BRF DOM ROC.DOCX

Here's copy of our Motion. I talked with Larry. He's ok with moving dates as we discussed; however, he brought to my attention he is scheduled to be out of the office April 10-13 so April 19, 2018 will not work for him. Will you agree to Reply Briefs being due April 27 and working from that time frame if the Court will allow?

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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Candy M. Kern-Fuller, Esq.
Managing Partner

Howard E. Sutter, III, Esq.
Partner

March 22, 2018

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

RECEIVED
MAR 30 2018
SC Court of Appeals

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

Dear Ms. Kitchens:

Please find enclosed the Respondent/Appellant's Initial Response Brief to Appellant's /Respondent's Initial Brief, Amended Designation of Matters and Proof of Service for the same.

Please advise as to whether you require anything further in this matter.

With kindest regards,

Candy M. Kern-Fuller, Esq.

cc: Mr. Larry Brandt, Esq.
Clients

Tracking Number: 9507100002248081000267

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March 23, 2018

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March 22, 2018

USPS expects item for mailing (SSK)

EASLEY, SC 29640

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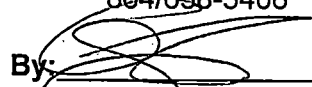
PROOF OF SERVICE

(RESPONDENT/APPELLANT'S MOTION FOR EXTENSION
OF TIME TO FILE INITIAL REPLY BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL, SERVE THE RECORD ON APPEAL
AND FILE ALL FINAL BRIEFS AND THE RECORD ON APPEAL)

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

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

March 29, 2018

By: 
Candy M. Kern-Fuller, Esq.
ATTORNEY FOR RESPONDENT/APPELLANT



UPSTATE LAW GROUP, LLC

Candy M. Kern-Fuller, Esq.
Managing Partner

Howard E. Sutter, III, Esq.
Partner

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March 29, 2018

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SC Court of Appeals

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

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

Dear Ms. Kitchens:

Pursuant to my conversation with your clerk, Jessica, please find enclosed the Respondent/Appellant's Initial Response Brief to Appellant's /Respondent's Initial Brief, Amended Designation of Matters and Proof of Service that was filed by U.S. Mail on March 22, 2018.

I am also re-filing the Consent Motion for Extension with another \$25.00 check.

Please advise as to whether you require anything further in this matter.

With kindest regards,

Candy M. Kern-Fuller, Esq.

cc: Mr. Larry Brandt, Esq.
Clients

✓

<https://www.ups.com/uis/create?ActionOriginPair=default> Print Window Page & key = lab... 3/29/2018

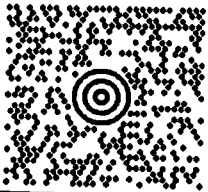
BRIAN DAVIS
8648553114
UPSTATE LAW GROUP, LLC
200 E. MAIN STREET
EASLEY SC 29640

0.0 LBS LTR

1 OF 1

SHIP TO:

JENNY ABBOTT KITCHINGS
(803) 734-1890
SC COURT OF APPEALS
1220 SENATE STREET
COLUMBIA SC 29201-3769



SC 292 9-01



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