

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

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

Case No. 2015-CP-10-3891

Appellate Case No. 2018-000516

RECEIVED
APR 23 2018
SC Court of Appeals

Athan FokasAppellant,

v.

Phillip Ferderigos and Spiros FerderigosRespondents.

**Consent Motion for Extension of Time to Serve Initial Brief and Designation of Matter for
Inclusion in Record on Appeal**

Leslie S. Lenhardt, Esq.
Lenhardt Law Firm, LLC
1876 Wallenberg Blvd.
Charleston, SC 29407
(843)371-5453 ext. 702
Counsel for Appellant Athan Fokas

April 19, 2018
Charleston, South Carolina

Other counsel of Record:

M. Dawes Cooke, Jr., Esq.
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Charleston, SC 29402

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COMES NOW, the Appellant, Athan Fokas (“Appellant”), with the written consent of counsel for the Respondents, pursuant to Rule 240 of the South Carolina Appellate Court Rules, and respectfully moves this Court for a sixty (60) day extension of time to serve his initial brief and designation of matters for inclusion in record on appeal for the reasons and good cause set forth below:

1. Appellant received the transcript of the motions hearing from the court reporter on April 16, 2018. Pursuant to Rule 208(a)(1) and Rule 209(a), SCACR, Appellant’s Initial Brief and Designation of Matters for Inclusion in the Record are due to be filed on or before May 16, 2018.




2. Appellants file this motion requesting a sixty (60) day extension to file their Initial Brief and Designation of Matters for Inclusion in the Record with the written consent of counsel for the Respondents. A copy of the e-mail from Respondents' counsel consenting to the extension is attached hereto as Exhibit A.
3. Appellant has taken exception to numerous rulings from the lower court that resulted in the grant of summary judgment against the Appellant.
4. The issues involved in the appeal require extensive research and briefing.
5. Additionally, the parties are involved in the appeal of another matter involving the parties, and the parties' respective Initial Briefs in that cross-appeal are due on June 4, 2018. The parties are devoting significant time to preparing those briefs at this time.
6. Appellant needs an extension of time to properly prepare his Initial Brief and to determine the appropriate contents of the Record on Appeal. This is Appellant's first request for an extension of time to serve his Initial Brief and Designation of Matters for Inclusion in the Record on Appeal.
7. Appellants have consulted with counsel of record and counsel consents to Appellant's extension request.
8. Appellant believes the extension of time would provide Appellant until July 16, 2018 to serve and file their Initial Brief and Designation of Matters for Inclusion in the Record on Appeal.

Therefore, for the foregoing reasons and with consent of counsel for the Respondents, the Appellant respectfully asks this Court to grant him a sixty (60) day extension of time to file and serve his Initial Brief and Designation of Matters for Inclusion in the Record on Appeal.

[SIGNATURE PAGE FOLLOWS]

By:

A handwritten signature in black ink, appearing to read "Leslie S. Lenhardt", written over a horizontal line.

Leslie S. Lenhardt, Esq.

LENHARDT LAW FIRM, LLC

1876 Wallenberg Blvd.

Charleston, SC 29407

(843) 371-5453 ext. 702

Counsel for Appellant Athan Fokas

April 19, 2018

Charleston, South Carolina

From: Jeremy Bowers <jbwowers@barnwell-whaley.com>
Sent: Wednesday, April 18, 2018 9:08 AM
To: 'llenhardt@lenhardtlawfirm.com'
Subject: Fokas v. Ferderigos

Leslie, I hope this e-mail finds you doing well. We received the transcript in our appeal related to the defamation action on Monday afternoon. I am writing to see if you would consent to an extension of time to serve the initial brief and designation of matter to be included on appeal by both Spiros Ferderigos and Phillip Ferderigos. We are requesting an additional 60 days from the current due date. The current due date, based upon receiving the transcript on Monday afternoon is May 16. As a result, we are requesting an extension of time until July 16 to serve and file the initial briefs and designation. Of course, when you receive your transcript, we consent to you seeking an extension of time for serving your initial brief, etc.

Please let me know if you can consent to this extension. If so, I will file our motion for the extension with a copy to you. 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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Charleston, South Carolina 29401

By: 
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Charleston, SC 29407
(843) 371-5453 ext. 702

Counsel for Appellant Athan Fokas

April 19, 2018
Charleston, South Carolina

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Phone 843.371.5453

Leslie S. Lenhardt
ATTORNEY AT LAW
LLENHARDT@LENHARDTLAWFIRM.COM

April 19, 2018
VIA U.S. MAIL

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

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SC Court of Appeals

**Re: Athan Fokas, Appellant, v. Phillip and Spiros Ferderigos,
Respondents C/A No. 2015-CP-10-3891, Appellate Case No. 2018-
000516**

Dear Ms. Kitchings:

Please find enclosed an original and seven (7) copies of the Appellant Athan Fokas' Consent Motion for Extension of Time to Serve Initial Brief and Designation of Matter for Inclusion in Record on Appeal. The Appellant Athan Fokas files this Motion with the written consent of all counsel of record. I would appreciate it if you would file the same and return a stamped filed copy to me in the envelope provided. I am also enclosing our firm's check in the amount of Twenty-Five Dollars (\$25.00) for the filing fee.

By copy of this letter, I am providing all counsel of record with a copy of same. If you have any questions, please do not hesitate to contact me. Thank you for your cooperation in this matter.

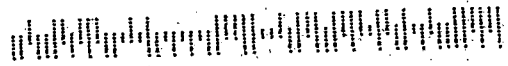
Sincerely,


Leslie S. Lenhardt

Encl.

cc w/ encl.: Laura W. Robinson, Esq.
Jennifer H. Thiem, Esq.
Jeremy E. Bowers, Esq.

LENHARDT
LAW FIRM, LLC
1876 WALLEMBERG BLVD.
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Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC ~~29201~~ 29211