

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

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

Circuit Court Case No. 2017-CP-10-4112
S.C. Court of Appeals Case No. 2018-000249

Chris Khamnei,

Appellant,

v.

Columbus Street Holdings,
LLC; Roy T. Willey IV and
Eric M. Poulin, individually,

Respondents.

**MOTION FOR PERMISSION TO FILE REPLY TO
RESPONDENTS' MOTION TO DISMISS
OUT OF THE TIME SPECIFIED UNDER SCACR 240(e)**

Appellant respectfully moves this Court for permission to file his Reply to Respondents' Motion to Dismiss Outside of the Time Specified Under SCRCR, Rule 240(e). Appellant's motion is based on the following grounds:

1. Appellant and counsel for Appellant are concurrently filing a Motion to Withdraw as Counsel for Appellant based on a conflict of interest that has arisen effecting counsel's representation. Appellant and counsel for Appellant previously filed a

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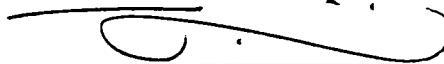
consent motion to withdraw as counsel for Plaintiff in the underlying action in the lower court.

2. While Respondents filed their Motion to Dismiss the appeal on March 30, 2018, counsel for Appellant did not become aware of the motion until May 8, 2018, as a copy of it was among several other mailings from Respondents, copies of which counsel for Appellant had already received by e-mailed. Respondents, however, did not e-mail a copy of the Motion to Dismiss they filed in this Court, and counsel did not notice it among the other mailings.
3. In light of the confusion regarding the service of the Motion to Dismiss and counsel for Appellant's Motion to Withdraw as Counsel for Appellant, the undersigned counsel for Appellant and Appellant request a short extension of time for Appellant to file his Reply to Respondents' Motion to Dismiss.

WHEREFORE, Appellant respectfully request he be allowed to file his Reply to Respondents' Motion to Dismiss, submitted concurrently with the present motion.

Respectfully submitted,

LAW OFFICE OF
W. WESTBROOK WILLS III



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ATTORNEY FOR APPELLANT

Other counsel of record:

Stefan B. Feidler, Esq.
Anastopoulo Law Firm, LLC
32 Ann Street
Charleston, SC 29203
ATTORNEY FOR RESPONDENTS

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Respondents.

PROOF OF SERVICE

I certify that I have served the foregoing **Motion for Permission to File Reply to Respondents' Motion To Dismiss Outside the Time Specified Under SCRAC 240(e)** on the Respondents by depositing a copy of it in the U.S. Mail, postage prepaid, on May 10, 2018 addressed to their attorney of record, Stefan B. Feidler, Esq., Anastapoulo Law Firm, LLC, 32 Ann Street, Charleston, SC 29403.

[Signature on following page]

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May 10, 2018

VIA US MAIL

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

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Re: *Chris Khamnei v. Columbus Street Holdings, LLC*;
Appellate Case No. 2018-00024;
Circuit Court Case No. 2017-CP-10-4112

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Dear Ms. Kitchings:

Please find enclosed the original and 7 copies of Appellant's Motion for Permission to File Reply to Respondents' Motion to Dismiss Outside of the Time Specified Under SCRAC, Rule 240(e) with Proof of Service, and the original and 7 copies of Appellant's Reply to Respondents' Motion to Dismiss with Proof of Service. Also enclosed is a firm check in the amount of \$25.00 for the motion filing fee, and a return, stamped envelope. I have copied Stefan Feidler, Esq., attorney for Respondents, with a copy of this letter and the motion.

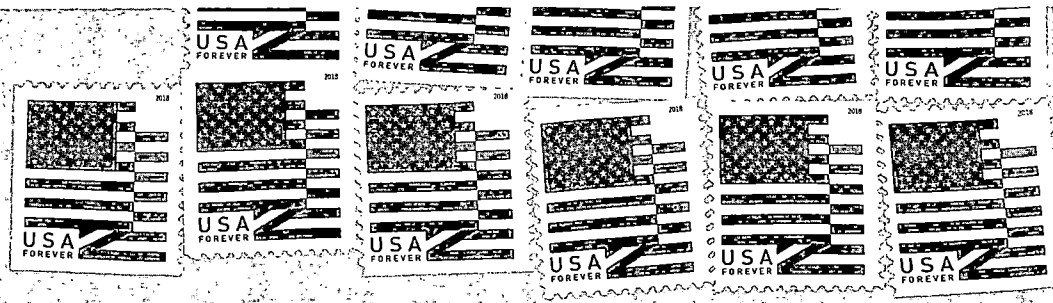
Please do not hesitate to contact me with any questions or if I can provide any further information with regard to this motion.

Very truly yours,


W. Westbrook Wills III

Enclosures (as stated)

cc: Stefan Feidler, Esq. (w/ enclosures)
Chris Khamnei



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