

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Richland County
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

Appellate Case No. 2016-000192
Circuit Court Case No. 2014-CP-40-0313

RECEIVED

JUN 05 2018

SC Court of Appeals

Raymond G. Farmer, as Director
of the South Carolina Department of Insurance,

Petitioner,

v.

CAGC Insurance Company, in Liquidation,

Respondent.

South Carolina Property and Casualty Insurance
Guaranty Association,

Appellant,

v.

CAGC Insurance Company, in Liquidation; Raymond G. Farmer,
in his capacity as Ancillary Receiver of CAGC Insurance
Company, in Liquidation; and CompTrustAGC of South Carolina
a/k/a CompTrustAGC of South Carolina, Inc.,

Respondents.

MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING

YOUNG CLEMENT RIVERS, LLP
Michael A. Molony (SC Bar No. 4026)
T. Douglas Concannon (SC Bar No. 66316)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
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P.O. Box 993 (29402)
(843) 720-5488

*Attorneys for Respondent
CompTrustAGC of South Carolina
a/k/a CompTrustAGC of South
Carolina, Inc.*

NOW COMES Respondent CompTrustAGC of South Carolina a/k/a CompTrustAGC of South Carolina, Inc. (“CompTrust”), by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and, on the grounds set forth below, hereby moves this Honorable Court for an extension of fifteen (15) days’ time to petition for rehearing of this matter, which the Court decided via opinion filed May 23, 2018. *See S.C. Prop. & Cas. Ins. Guar. Assoc. v. CAGC Ins. Co.*, Op. No. 5562 (S.C. Ct. App. filed May 23, 2018) (Shearhouse Adv. Sh. No. 21 at 104).

1. Rule 221(a), SCACR, provides, “Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court.”

2. Based on the May 23, 2018, filing date of the Court’s opinion, the present deadline to petition for rehearing of this matter is the close of business this coming Thursday, June 7, 2018, which, pursuant to Rule 263(a), SCACR (regarding computation of time), will be the 15th day after the filing of the opinion.

3. On account of work-related and other time commitments, the undersigned requests that the present deadline to petition for rehearing be extended by 15 days, i.e., from Thursday, June 7, 2018, to Friday, June 22, 2018.

4. The undersigned submits that, under the circumstances, there exists good cause for the Court to grant the relief requested herein, such relief

constituting a reasonable dispensation, timely sought, consistent with the interests of justice, and posing no threat of undue prejudice to any other party.

WHEREFORE, CompTrust requests that the Court grant a 15-day extension of the deadline to petition for rehearing in this matter, i.e., an extension of the deadline to petition for rehearing through June 22, 2018. ADDITIONALLY, CompTrust requests that the Court hold the present deadline to petition for rehearing in abeyance (and not send down the remittitur) until the Court acts on this motion.

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By: 

Michael A. Molony (SC Bar No. 4026)
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*Attorneys for Respondent
CompTrustAGC of South Carolina
a/k/a CompTrustAGC of South
Carolina, Inc.*

Charleston, South Carolina

Dated: 6/5/18

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a/k/a CompTrustAGC of South Carolina, Inc.,

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PROOF OF SERVICE

YOUNG CLEMENT RIVERS, LLP
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*Attorneys for Respondent
CompTrustAGC of South Carolina
a/k/a CompTrustAGC of South
Carolina, Inc.*

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Respondent CompTrustAGC of South Carolina a/k/a CompTrustAGC of South Carolina, Inc., hereby certify that the foregoing **MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING** was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on June 5, 2018, properly posted for delivery to the following addressees:

Howard A. VanDine, III, Esquire
A. Mattison Bogan, Esquire
Erik T. Norton, Esquire
Nelson Mullins Riley & Scarborough, LLP
P.O. Box 11070
Columbia, SC 29211-1070

Attorneys for Appellant
South Carolina Property and Casualty Insurance Guaranty Association

David W. Boone, Esquire
North Carolina Department of Justice
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Raleigh, NC 27602-0629

Attorney for Respondent
CAGC Insurance Company, in Liquidation

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SC Court of Appeals

Geoffrey Ross Bonham, Esquire
South Carolina Department of Insurance
P.O. Box 100105
Columbia, SC 29202

Attorney for Respondent
Raymond G. Farmer, in his capacity as Ancillary Receiver
Of CAGC Insurance Company, in Liquidation

<SIGNED ON THE FOLLOWING PAGE>

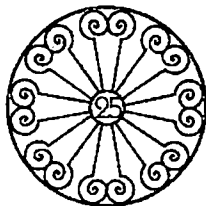
Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By: 
Russell G. Hines (SC Bar No. 72100)

*Attorneys for Respondent
CompTrustAGC of South Carolina
a/k/a CompTrustAGC of South
Carolina, Inc.*

Charleston, South Carolina

Dated: 6/5/16



YCR LAW

Kathleen B. Barnes
Secretary

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June 5, 2018

VIA US MAIL AND FASCIMILE

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

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SC Court of Appeals

Re: Raymond G. Farmer, as Director of the south Carolina Department of Insurance
v. CAGC Insurance Company, in Liquidation, et al
Appellate Case No. 2016-000192
Case No.: 14-CP-40-0313
YCR File: 15140-20130673

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of a Motion for Extension of Time to Petition for Rehearing, the original and one (1) copy of the Proof of Service for same and our firm's check in the amount of \$25.00. Please file the originals and return court-stamped copies to me in the enclosed envelope.

With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Kathleen B. Barnes
Secretary

Enclosures

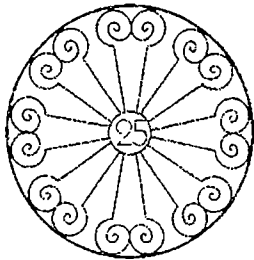
(all via US Mail and email)

Cc: Howard A. VanDine, III, Esquire, Nelson Mullins Riley & Scarborough, LLP
A. Mattison Bogan, Esquire, Nelson Mullins Riley & Scarborough, LLP
Erik T. Norton, Esquire, Nelson Mullins Riley & Scarborough, LLP
Geoffrey Ross Bonham, Esquire, South Carolina Department of Insurance

(via US Mail only)

David W. Boone, Esquire, North Carolina Department of Justice

✓



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To: 18037341839
From: kbarnes@ycrlaw.com
Date: June 05, 11:13:50 AM EDT
Subj: FW: Farmer v. CAGC, et al; Case No.: 2016-000192
Pages: 9

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SC Court of Appeals

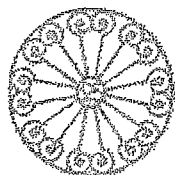
From: Barnes, Kathleen (Katy)
Sent: Tuesday, June 05, 2018 11:05 AM
To: 18037341839@faxmail.com
Cc: 'howard.vandine@nelsonmullins.com'; 'dhair@nelsonmullins.com'; 'matt.bogan@nelsonmullins.com'; 'erik.norton@nelsonmullins.com'; 'gbonham@doi.sc.gov'
Subject: Farmer v. CAGC, et al; Case No.: 2016-000192

Good morning,

Attached please find correspondence regarding our Motion for Extension to Petition for Rehearing. All copies along with the filing fee have been placed in the mail. Please do not hesitate to let us know if you need anything further.

Thank you!

Katy B. Barnes
Commercial Litigation Secretary
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