

**DAVID B. MARVEL**

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June 6, 2018

**RECEIVED**

JUN 07 2018

SC Court of Appeals

Via Facsimile to (803) 734-1839 and U.S. Mail

Jenny Abbott Kitchings, Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

Re: Innovative Waste Management v. Crest Energy Partners GP, LLC  
Case No. 2015-002024

Dear Ms. Kitchings,

I hope this letter finds you well. You have just received a Federal Express delivery of a Motion for Extension of Time to file a Petition for Rehearing in this matter. In that Motion, I indicated that I had attempted to contact counsel for the Appellants to obtain consent for the extension, which I fully expected to receive, but I had heard no response. That statement was accurate at the time I transmitted the Motion to the Court. Following transmission of my filing to you and by email to Appellant's counsel, I received the attached response indicating that Appellants object to the extension.

While the South Carolina Appellate Court Rules have no provision requiring consultation with opposing counsel on such motions, I attempted to do so as a courtesy. Therefore, my comment on that attempt is inconsequential to the merits of the motion. As for the substance of Mr. Gruenloh's email, I believe the Motion states exceptionally good cause. While I have requested a thirty-day extension of time, I intend to file the Petition as soon as I am able, hopefully by the end of next week. Further, given that this case relates to transactions from 2010, an additional thirty days would not appear unduly prejudicial.

I do not recall ever being in the position of having opposing counsel object to such an extension. Therefore, if the Court would like any further information or briefing from me, please let me know. If you have any other questions or concerns, please do not hesitate to call. With best regards, I remain

Sincerely,



David B. Marvel

/DBM

Enclosure

Cc: Wm. Michael Gruenloh

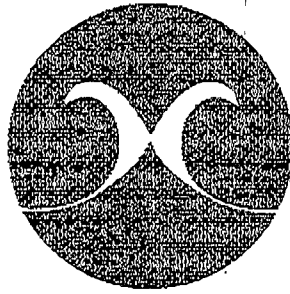
**David B. Marvel**

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**From:** Mike Gruenloh <mike@gruenlohlaw.com>  
**Sent:** Wednesday, June 6, 2018 5:57 PM  
**To:** David B. Marvel  
**Cc:** fritz@j-dlaw.com; patrick@gruenlohlaw.com  
**Subject:** IWM v. Crest

David-

I received your phone message requesting that we consent to your motion for additional time to request a new hearing before the Court of Appeals. Since no hearing was held and the opinion is clear, I'm at a loss as to what possible basis you could have for such a request other than delay. We will not agree to your request.



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SC Court of Appeals

**FAX COVER SHEET**

TO: Clerk, SC Court of Appeals

FAX: 803 734 1839

FROM: David B. Marvel  
(fax # - 843-380-3025)

RE: IWM v. Crest Energy Partners GP, LLC  
Case No. 2015-002024

3 Pages Including Cover

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