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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Ralph King Anderson, III, Chief Administrative Law Judge

Case No. 2015-ALJ-17-0253-CC
Appellate Case No. 2018-000631

Home Depot U.S.A., Inc., d/b/a/ The Home Depot,Appellant,

v.

South Carolina Department of Revenue,Respondent.

**APPELLANT'S MOTION FOR
THIRD EXTENSION OF
TIME TO FILE INITIAL BRIEF**

RECEIVED
JUL 16 2018
SC Court of Appeals

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*Attorneys for Appellant
Home Depot U.S.A., Inc., d/b/a/
The Home Depot*

NOW COMES Appellant Home Depot U.S.A., Inc., d/b/a/ The Home Depot (“Home Depot”), pursuant to 240(a), SCACR, who respectfully requests a third extension of time of thirty (30) days within which for Home Depot to file its Initial Brief pursuant to 208(b), SCACR. This is Home Depot’s third motion requesting an extension of time to file its initial brief.

Home Depot and the South Carolina Department of Revenue (“Department”) are in discussions regarding a mutually agreeable settlement that would fully resolve this matter and eliminate the need for an appeal. Despite their best efforts, the parties need additional time to conduct negotiations and potentially execute a settlement agreement. The Department does not object to the granting of a third extension in this matter. Consequently, Home Depot respectfully contends that extraordinary circumstances exist warranting a third extension of time for Home Depot to file its Initial Brief.

WHEREFORE, Appellant Home Depot respectfully requests an order granting an extension of thirty (30) days to file its Initial Brief.

Respectfully submitted,

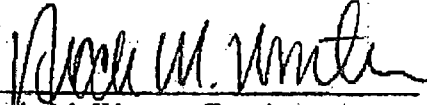
 on behalf of Madison Felder

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Attorneys for Appellant
Home Depot U.S.A., Inc., d/b/a/ The Home Depot

July 16, 2018
Greenville, SC

WE SO CONSENT:



Nicole M. Wooten, Esquire
Sean G. Ryan, Esquire
Patrick A. McCabe, Esquire
Jason P. Luther, Esquire
South Carolina Department of Revenue
Office of the General Counsel
PO Box 12265
Columbia, SC 29211-9979

*Attorneys for Respondent South Carolina
Department of Revenue*

July 16, 2018
Columbia, SC

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PROOF OF SERVICE

The undersigned hereby certifies that on July 16, 2018, she served the foregoing **APPELLANT'S SECOND MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF** on all parties listed below by placing a copy of it in the United States Mail, first class postage prepaid, addressed as follows:

Nicole M. Wooten, Esquire
Sean G. Ryan, Esquire
Patrick A. McCabe, Esquire
Jason P. Luther, Esquire
South Carolina Department of Revenue
Office of the General Counsel
PO Box 12265
Columbia, SC 29211-9979

*Attorneys for Respondent
South Carolina Department of Revenue*


Kristen Cuza



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Atlanta, GA
Charleston, SC
Charlotte, NC
Columbia, SC
Greenville, SC
Raleigh, NC
Spartanburg, SC

July 16, 2018

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
120 Senate Street
Columbia, South Carolina 29201

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***Re: Appellate Case No. 2018-000631
Home Depot U.S.A., Inc. d/b/a/ The Home Depot v. South Carolina Department
of Revenue***

Dear Ms. Kitchings:

Enclosed for filing please find an original and one copy of Appellant's Motion for Third Extension of Time to File Initial Brief in the above-referenced matter. Also enclosed please find the Proof of Service and this Firm's check in the amount of \$25.00 in satisfaction of the Court's filing fee.

By copy of this letter, we are serving the South Carolina Department of Revenue and all counsel of record with a copy of Appellant's Motion for Third Extension of Time to File Initial Brief. Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Handwritten signature of Madison Felder in cursive script.

Madison Felder

Enclosures

cc: Nicole M. Wooten, Esquire (*w/enclosure via U.S. Mail*)
Sean G. Ryan, Esquire (*w/enclosure via U.S. Mail*)
Patrick A. McCabe, Esquire (*w/enclosure via U.S. Mail*)
Jason P. Luther, Esquire (*w/enclosure via U.S. Mail*)

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