

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

R. Ferrell Cothran, Jr., Circuit Court Judge

APPELLATE CASE NO. 2017-000902

Daniel O'Shields And Roger W.
Whitley, A Partnership d/b/a O&W Cars,

Appellants

v.

Columbia Automotive Company,
LLC d/b/a Midlands Honda,

Respondent

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SC Court of Appeals

Motion for Extension of Time

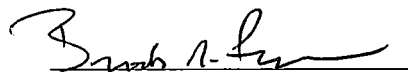
Appellants respectfully request a 20-day extension from today's date in which to file their Initial Reply Brief, which is otherwise due today. This is Appellants' third request for an extension of time in this matter. Mr. Fudenberg, who is the primary writer of Appellants' briefs, has been struggling to keep his 14¾-year old dog (Butch) alive. Since March 10, Butch has been diagnosed with meningitis/encephalitis, suffered two seizures (one because the hospital failed to give him his anti-seizure medicine!), and three separate serious cases of aspiration pneumonia. He has been to veterinary hospitals 20 times, including six separate hospitalization-necessitating events, not counting visits to his regular veterinarian. Mr. Fudenberg has also made repeated solo visits to pharmacies and to veterinarians to pick up medicines. The underlying cause of the repeated pneumonias is megaesophagus, a condition where the esophagus is permanently enlarged and loses its ability to move food into the stomach. This requires the dog be fed in an upright position and maintained in that position after he eats. During his feedings, Butch cannot

be left alone. This condition also requires Butch to be fed more frequent, smaller meals. Among the eight medicines and four supplements he is to take, Butch has been further prescribed a medicine that he is to take, again in an upright position, ten minutes before he eats. Altogether, simply feeding the dog and administering the medicines takes significantly more than four hours a day, not including veterinary visits, trips to pharmacies, and the like. Mr. Fudenberg has been experimenting with different sources of fluid and of food for the dog, and ways to keep the dog upright, and hopes that the new regimen will provide the dog more good days and decrease the time demands on his owner.

Counsel for Appellants emailed counsel for Defendant at 10:28 AM July 23, 2018 seeking consent, but as of 4:45 PM July 23, Appellants' Counsel has not heard back.

Respectfully submitted,

July 21, 2018



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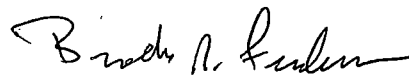
Columbia Automotive Company,
LLC d/b/a Midlands Honda,

Respondent.

PROOF OF SERVICE

I certify that I have served the foregoing Motion to Extend Time on Columbia Automotive Company, LLC d/b/a Midlands Honda by depositing a copy of it in the United States Mail, postage prepaid, on today's date, addressed to its attorney of record Harry Clayton Walker Jr., Esq., Haynsworth Sinkler Boyd, PA, PO Box 11889, Columbia, SC 29211-1889.

7/23/2018



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July 23, 2018

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

RE: Daniel O'Shields and Roger W. Whitley A Partnership d/b/a O&W Cars v. Columbia
Automotive Company, LLC d/b/a Midlands Honda
Appellate Case No. 2017-000902

Dear Ms. Kitchings:

Please find enclosed:

- * an original and seven (7) copies of a Motion to Extend Time in this case,
- * an original proof of service regarding the same,
- * a check in the amount of \$25.00 as the filing fee, and
- * a self-addressed, stamped envelope.

I would ask that you return a stamped copy of the motion in the enclosed self-addressed envelope.

Sincerely,

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Brooks R. Fudenberg
Law Office of Brooks R. Fudenberg LLC
Attorney for Appellants

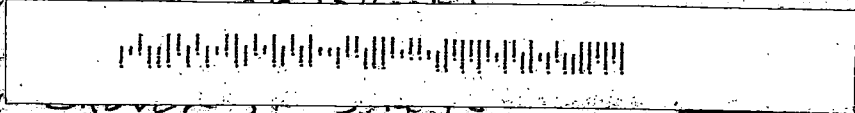
cc: Harry Clayton Walker Jr., Esq.
Sarah P. Spruill, Esq.

Robert Reibold, Esq.
C. Steven Moskos, Esq

James Y. Becker, Esq.



LAW
R



Charleston SC 29401



The Honorable ~~JERRY ABBOTT~~ RITCHIE
CLERK, SOUTH CAROLINA COURT OF APPEALS
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COLUMBIA, SC 29211

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