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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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AUG 09 2018

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

The Honorable Roger M. Young, Sr., Circuit Court Judge

Appellate Case No. 2018-000906

Sea Island Food Group, LLC d/b/a Squeeze..... Respondent/Appellant,

v.

Yaschik Development Company, Inc., d/b/a Yaschik Enterprises,  
Hilton Smith, East Bay Company, Ltd., and Michael J. Quillen Family  
Limited Partnership..... Defendants,

Of whom Yaschik Development Company, Inc., d/b/a Yaschik  
Enterprises is the ..... Appellant/Respondent,

And of which Hilton Smith, East Bay Company, Ltd., and the Michael J.  
Quillen Family Limited Partnership are ..... Respondents,

Michael J. Quillen Family Limited Partnership..... Third-Party Plaintiff, Respondent,

v.

Top of the Bay, LLC ..... Third-Party Defendant, Respondent/Appellant.

Top of the Bay, Inc. d/b/a Club Light..... Fourth-Party Plaintiff, Respondent/Appellant,

v.

Yaschik Development Company, Inc.,  
d/b/a Yaschik Enterprises ..... Fourth-Party Defendant, Appellant/Respondent.

**APPELLANT'S MOTION FOR EXTENSION OF TIME**

Pursuant to South Carolina Appellate Court Rules 240 and 263(b), Appellant Yaschik  
Development Company, Inc., d/b/a Yaschik Enterprises moves for an extension of thirty (30) days

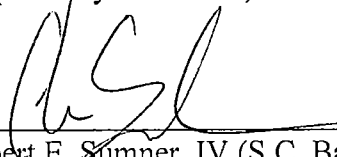
from the existing deadline to file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal in this matter. Appellant filed its initial Notice of Appeal on May 11, 2018, and Amended Notice of Appeal on June 1, 2018. Appellant received the entire transcript of the two-week trial in this matter on August 6, 2018. The trial transcript consists of approximately 2,000 pages.

Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal are now due on or before September 5, 2018. Appellant respectfully submits that a thirty (30) day extension to file its Initial Brief and Designation of Matter to be Included in the Record on Appeal is appropriate due to the complexity of this matter, the length of the trial, the size of the corresponding record, and Appellant's counsel's existing work demands and previously scheduled work commitments. The size of the transcript and corresponding record will make it difficult for Appellant's counsel to analyze and designate the matters to be included in the record, fully research the legal issues involved in this matter, and prepare and file the Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal under the existing deadline.

Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal will be due on or before October 5, 2018, if the extension is granted. Appellant's counsel has conferred with counsel for Respondents regarding this motion, and Respondents consent to the thirty (30) day extension.

For the reasons set forth herein, Appellant requests a thirty (30) day extension to serve and file its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

Respectfully submitted,



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Robert E. Sumner, IV (S.C. Bar No. 71728)  
E. Brandon Gaskins (S.C. Bar No. 72374)  
Charles R. Scarminach (S.C. Bar No. 101582)  
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*Attorneys for Appellant Yaschik Development  
Company, Inc., d/b/a Yaschik Enterprises*

August 7, 2018

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas  
The Honorable Roger M. Young, Sr., Circuit Court Judge

Case No. 2013-CP-10-7107

Sea Island Food Group, LLC d/b/a Squeeze ..... Respondent,

v.

Yaschik Development Company, Inc., d/b/a Yaschik Enterprises, Hilton Smith, East Bay Company, LTD., and Michael J. Quillen Family Limited Partnership ..... Defendants,

Of whom Yaschik Development Company, Inc., d/b/a Yaschik Enterprises is the..... Appellant,

Of whom Hilton Smith and East Bay Company, LTD. are ..... Respondents,

Of whom Michael J. Quillen Family Limited Partnership is a..... Respondent.

Michael J. Quillen Family Limited Partnership ..... Third-Party Plaintiff,

v.

Top of the Bay, Inc. d/b/a Club Light..... Third-Party Defendant.

Top of the Bay, Inc. d/b/a Club Light..... Respondent,

v.

Yaschik Development Company, Inc., d/b/a Yaschik Enterprises..... Appellant.

**PROOF OF SERVICE**

This is to certify that I have this day served counsel for the Respondents in the foregoing matter with a copy of the foregoing *Appellant's Motion for Extension of Time* by depositing the same in the United States Mail with adequate postage affixed thereon to ensure delivery, addressed as follows:

Lindsey W. Cooper, Jr., Esquire  
Margarete Linsay Allio, Esquire  
The Law Offices of L.W. Cooper Jr.  
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Charleston, SC 29401

*Attorneys for Respondent Sea Island Food Group, LLC d/b/a Squeeze*

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*Attorneys for Respondent Michael Quillen Family Limited Partnership*

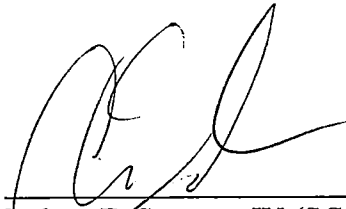
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Charleston, SC 29401  
(843) 720-4619

*Attorneys for Respondents Hilton Smith and East Bay Company, LTD.*



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Charles R. Scarminach (SC Bar No. 101582)  
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*Attorneys for Appellant Yaschik Development  
Company, Inc., d/b/a Yaschik Enterprises*

August 7, 2018  
CHARLESTON, SC

August 7, 2018

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

**Charles Scarminach**  
Attorney at Law

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**Re: Sea Island Food Group, LLC doing business as SQUEEZE v. Yaschik  
Development Company, Inc., doing business as Yaschik Enterprises, et al.  
Case No. 2013-CP-10-7107  
Appellate Case No. 2018-0009-6  
Our File Number: 029018.000023**

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Dear Ms. Kitchings:

Enclosed Please find the original and seven copies of Appellant's Motion for Extension of Time in the above-referenced matter along with Proof of Service and a check in the amount of \$25.00 as the required filing fee. Please file the original and return a filed stamped copy to me in the enclosed self-addressed stamped envelope.

Thank you for your assistance with this matter and please call me with any questions.

Very truly yours,

**MOORE & VAN ALLEN PLLC**



Charles Scarminach

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**AUG 09 2018**

**SC Court of Appeals**

Enclosures: as stated.

cc w/enc.: Lindsey W. Cooper, Jr., Esquire  
Margarete Lindsay Allio, Esquire  
John T. Lay, Esquire  
Curtis L. Ott, Esquire  
Jessica A. Waller, Esquire  
Shelley Sunderman Montague, Esquire  
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