

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable Deborah Brooks Durden, Administrative Law Judge

Appellate Case No. 2018-001064
Case No. 18-ALJ-17-0005-CC

RECEIVED
AUG 31 2018
SC Court of Appeals

Five Points Roost, LLC, d/b/a Five Points Roost.....Appellant,

v.

South Carolina Department of Revenue.....Respondent,

and

Thomas R. Gottshall and April C. Lucas.....Intervenors.

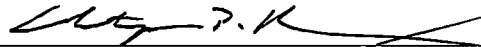
MOTION FOR EXTENSION OF TIME

Intervenors Thomas R. Gottshall and April C. Lucas move the Court under Rule 263 of the Appellate Court Rules to extend their time to file an initial brief and designation of matter by 30 days. Intervenors' brief and designation is presently due on or before September 7; granting this motion would extend that deadline to on or before October 7, 2018.

Prior to filing this motion, the undersigned consulted with counsel for Appellant Five Points Roost, LLC, d/b/a Five Points Roost (Roost) and Respondent South Carolina Department of Revenue (DOR) who indicated they consent to the relief sought here. This extension is being sought because other matters have left Intervenors' counsel with insufficient time to prepare a brief

in the time allotted. This is Intervenor's first request for an extension in this matter. By correspondence dated August 28, 2018, DOR also requested an unopposed 30-day extension to file its brief in this matter. Thus, granting this extension will move Intervenor's deadline to coincide with the deadline requested by DOR.

Respectfully submitted,



Richard A. Harpootlian (SC Bar No. 2725)
Christopher P. Kenney (SC Bar No. 100147)
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ATTORNEYS FOR INTERVENORS
THOMAS R. GOTTSALL AND
APRIL C. LUCAS

August 31, 2018
Columbia, South Carolina.

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CERTIFICATE OF SERVICE

I, Holli Miller, paralegal to the attorney for Intervenors, Richard A. Harpootlian, P.A., with offices at 1410 Laurel Street, Post Office Box 1090, Columbia, South Carolina 29202, certify that on August 31, 2018, served by placing in the U.S. Mail, first-class postage affixed thereto, the following document to the below mentioned persons:

Document: Intervenors' Motion for Extension of Time

Served: Michael Montgomery, Esq.
Post Office Box 11886
Columbia, SC 29211

Elisabeth Shields, Esq.
SCDOR
300A Outlet Pointe Blvd.
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Holli Miller



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August 31, 2018
VIA HAND DELIVERY

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

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In re: Five Points Roost v. SCDOR
Appellate Case No. 2018-001064

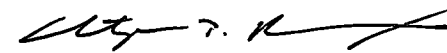
Dear Ms. Kitchings:

Attached please find the original and eight copies of Intervenors' motion for extension of time. Please clock-in the original and copies and return the copies to my courier.

By copy of this letter, I am serving opposing counsel with the same.

With warmest personal regards, I am

Sincerely,


Christopher P. Kenney

CPK:hm

Enclosures

cc: Mike Montgomery, Esq.
Elizabeth Shields, Esq.

✓