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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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OCT 15 2018

SC Court of Appeals

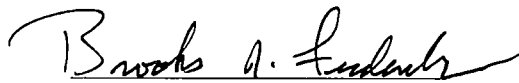
Motion to Toll Deadline

Appellants' initial reply brief is due today. Appellants have previously filed five motions to extend time for this brief. However, on October 3, Respondent wrote to the Clerk of this Court, stating its desire replace the single reference supporting a sentence in its initial brief with three other references (i.e., to replace a reference to the deposition testimony of one witness with references to the trial testimony of two other witnesses and to one exhibit). Respondent requested guidance from the Clerk as to whether Respondent needs to file a motion to amend its brief in order to make these changes.

Appellants believe they cannot properly complete their initial reply brief without fully knowing what they will replying to. Appellants respectfully request that the deadline to file their brief be tolled until Respondent's initial brief is settled, and that they be provided a reasonable amount of time after Respondent's brief is settled to file their reply brief.

Respectfully submitted,

October 9, 2018



Brooks R. Fudenberg
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Attorney for Appellants

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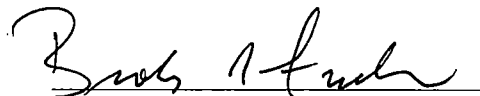
Columbia Automotive Company,
LLC d/b/a Midlands Honda,

Respondent.

PROOF OF SERVICE

I certify that I have served the foregoing Motion to Toll Deadline 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.

10/9/2018



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October 9, 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 Toll Deadline,
- * 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,



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

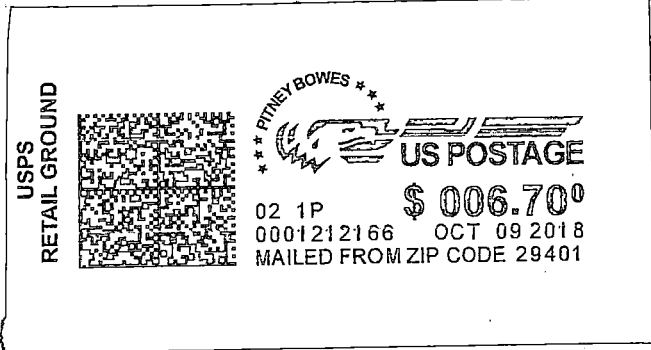
cc: Harry Clayton Walker Jr., Esq.
Sarah P. Spruill, Esq.

Robert Reibold, Esq.
C. Steven Moskos, Esq

James Y. Becker, Esq.

✓

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The Hon. Jenny Abbott Kitchings
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