

**THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT**

Appeal from Richland County
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

Circuit Court Case No. 2014-CP-40-0313

Opinion No. 5562 (S.C. Ct. App. filed May 23, 2018)
Court of Appeals Case No. 2016-000192

Supreme Court Case No. 2018-002047

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NOV 30 2018

SC Court of Appeals

Raymond G. Farmer, as Director
of the South Carolina Department of Insurance,

Petitioner,

v.

CAGC Insurance Company, in Liquidation,

Respondent.

South Carolina Property and Casualty Insurance
Guaranty Association,

Intervenor-
Petitioner,

v.

CAGC Insurance Company, in Liquidation; Raymond G. Farmer,
in his capacity as Ancillary Receiver of CAGC Insurance
Company, in Liquidation; and CompTrustAGC of South Carolina
a/k/a CompTrustAGC of South Carolina, Inc.,

Intervenor-
Respondents.

Of whom CompTrustAGC of South Carolina a/k/a CompTrust
AGC of South Carolina, Inc., is

Petitioner,

And CAGC Insurance Company, in Liquidation; Raymond G.
Farmer, in his capacity as Ancillary Receiver of CAGC Insurance
Company, in Liquidation; and South Carolina Property and
Casualty Insurance Guaranty Association are

Respondents.

**MOTION FOR SECOND EXTENSION OF TIME TO FILE/SERVE
PETITION FOR A WRIT OF CERTIORARI**

**Petitioner's counsel identified on
following page*

YOUNG CLEMENT RIVERS, LLP
Michael A. Molony (SC Bar No. 4026)
T. Douglas Concannon (SC Bar No. 66316)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

*Attorneys for Petitioner
CompTrustAGC of South Carolina
a/k/a CompTrustAGC of South
Carolina, Inc.*

NOW COMES Petitioner, CompTrustAGC of South Carolina a/k/a CompTrustAGC of South Carolina, Inc. (“CompTrust”), by and through its undersigned counsel, on the grounds stated below, and, pursuant to Rule 263(b), SCACR, as well as the Court’s order of July 16, 2014, regarding Extensions in Cases Seeking a Petition for a Writ of Certiorari to Review a Decision of the South Carolina Court of Appeals, hereby moves for a second extension of ten (10) days’ time to file/serve a petition to this Court for issuance of a writ of certiorari to the Court of Appeals to review that court’s decision in this matter.

1. The Court of Appeals denied rehearing on October 18, 2018, making the deadline to file/serve a petition for a writ of certiorari (and the accompanying appendix) Monday, November 19, 2018, pursuant to Rule 242(c), SCACR.

2. By order of November 21, 2018, this Court granted CompTrust’s (first) motion for an extension of time to file and serve its petition for a writ of certiorari/the appendix, making the present deadline Thursday, November 29, 2018.

3. Due to other time commitments, both work- and non-work-related (including those associated with the recent Thanksgiving holiday), the undersigned asks for the Court’s allowance of ten (10) additional days, i.e., ten (10) days beyond the present November 29, 2018, deadline to prepare CompTrust’s petition/the appendix, submitting, most respectfully, there is good cause to allow

the requested dispensation, the same being in furtherance of the interests of justice, not unduly prejudicial to any other party, and consistent with the extension protocol established by the Court's aforementioned order of July 16, 2014.

WHEREFORE, CompTrust respectfully requests that this Honorable Court allow it an additional ten (10) days to file/serve its petition for a writ of certiorari and the appendix in this matter, i.e., to extend the deadline for filing/serving its petition/the appendix through Monday, December 10, 2018. Additionally, CompTrust respectfully requests that the Court hold the present deadline in abeyance until it acts upon this motion.

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By: 

Michael A. Molony (SC Bar No. 4026)
T. Douglas Concannon (SC Bar No. 66316)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

*Attorneys for Petitioner,
CompTrustAGC of South Carolina
a/k/a CompTrustAGC of South
Carolina, Inc.*

Charleston, South Carolina

Dated: 11/25/18

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G. Thomas Cooper, Jr., Circuit Court Judge

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Respondents.

PROOF OF SERVICE

**Petitioner's counsel identified on
following page*

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25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

*Attorneys for Petitioner
CompTrustAGC of South Carolina
a/k/a CompTrustAGC of South
Carolina, Inc.*

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Petitioner, CompTrustAGC of South Carolina a/k/a CompTrustAGC of South Carolina, Inc., hereby certify that the foregoing **MOTION FOR SECOND EXTENSION OF TIME TO FILE/SERVE PETITION FOR A WRIT OF CERTIORARI** was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on November 28, 2018, properly posted for delivery to the following addressees:

Howard A. VanDine, III, Esquire
A. Mattison Bogan, Esquire
Erik T. Norton, Esquire
Nelson Mullins Riley & Scarborough, LLP
P.O. Box 11070
Columbia, SC 29211-1070

*Attorneys for Respondent
South Carolina Property and Casualty Insurance Guaranty Association*

David W. Boone, Esquire
North Carolina Department of Justice
P.O. Box 629
Raleigh, NC 27602-0629

*Attorney for Respondent
CAGC Insurance Company, in Liquidation*

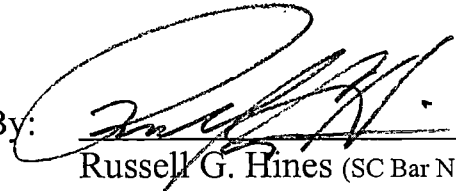
Geoffrey Ross Bonham, Esquire
South Carolina Department of Insurance
P.O. Box 100105
Columbia, SC 29202

*Attorney for Respondent
Raymond G. Farmer, in his capacity as Ancillary Receiver
of CAGC Insurance Company, in Liquidation*

I further certify that a copy of the foregoing motion was on this date, November 28, 2018, filed with the South Carolina Court of Appeals by depositing the same in the U.S. Mail.

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

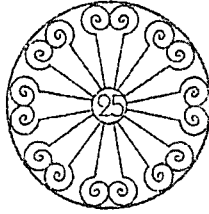
By: 

Russell G. Hines (SC Bar No. 72100)

*Attorneys for Petitioner
CompTrustAGC of South Carolina
a/k/a CompTrustAGC of South
Carolina, Inc.*

Charleston, South Carolina

Dated: 11/28/18



YCR LAW

Russell G. Hines
Partner

Direct Dial: (843) 720-5488
Direct Fax: (843) 579-1327
E-mail: rhines@ycrlaw.com

November 28, 2018

VIA U.S. MAIL & FACSIMILE

Honorable Daniel E. Shearouse, Clerk
South Carolina Supreme Court
P. O. Box 11330
Columbia, SC 29211-1330

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SC Court of Appeals

Re: Raymond Farmer v. CAGC Insurance
Appellate Case No.: 2018-002047 (Supreme Court)
Appellate Case No.: 2016-000192 (Court of Appeals)
Circuit Case No.: 14-CP-40-0313
YCR File: 15140-20130673

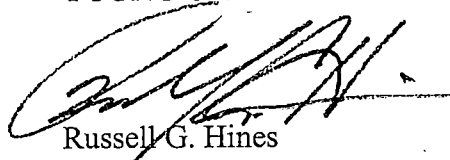
Dear Mr. Shearouse:

Enclosed please find the original and seven (7) copies of a **Motion for Second Extension of Time to File/Serve Petition for a Writ of Certiorari**, the original and one (1) copy of the **Proof of Service**, and our firm's check in the amount of \$50.00 to cover the filing fee. Please accept the originals and required copies of these documents for filing and send me a court-stamped copy of each document in the return envelope that is also enclosed herewith. By copy of this correspondence to all counsel of record, I am serving them with the aforementioned documents.

With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP



Russell G. Hines

Enclosures

ce: **Via U.S. Mail & Facsimile:**

Jenny Abbott Kitchings, Clerk of Court, South Carolina Court of Appeals

Via U.S. Mail & Email:

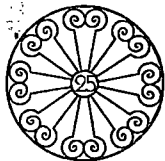
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YCR LAW
Young Clement Rivers, LLP

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CHARLESTON, SC 29402

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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