

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SOUTH CAROLINA
Workers' Compensation Commission

Commissioners Susan S. Barden, Gene McCaskill, and Melody L. James

RECEIVED
FEB 11 2019
SC Court of Appeals

SC Court of Appeal's No. 2018-002245

Herman L. Tate, Sr., Employee,Respondent,

v.

Nestle Frozen Food/Nestle USA, Employer, and Indemnity Insurance Co.
of N.A., Carrier, Appellants.

**MOTION FOR EXTENSION OF TIME TO FILE
APPELLANTS' INITIAL BRIEF AND
DESIGNATION OF MATTER**

Appellants Nestle Frozen Foods/Nestle USA and Indemnity Insurance Co. of N.A. ("Appellants") respectfully move this Court for an Order granting them an extension of time in which to file and serve their Initial Brief and Designation of Matter.

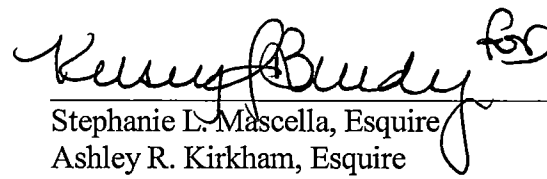
Appellants received the transcript from the court reporter on January 16, 2019, making the deadline for Appellants' Initial Brief and Designation of Matter to be due February 15, 2019. Appellants and Respondent have been in ongoing settlement negotiations at this time and it is believed that a settlement can be reached. Accordingly, Appellants' respectfully request a thirty (30) day extension to file and serve their Initial Brief and Designation of Matter, which would place the new deadline at March 18, 2019.

Counsel for Appellants have consulted with counsel for Respondent and obtained consent to this motion.

Appellants greatly appreciate the Court's time, attention, and assistance with regard to this request.

Respectfully submitted,

COLLINS & LACY, P.C.

Handwritten signature in cursive script, appearing to read "Stephanie L. Mascella" with a small "for" written to the right.

Stephanie L. Mascella, Esquire
Ashley R. Kirkham, Esquire
1330 Lady Street, Sixth Floor (29201)
Post Office Box 12487
Columbia, South Carolina 29211
803.256.2660 (office)
803.771.4484 (fax)

COUNSEL FOR APPELLANTS

**MOTION FOR EXTENSION OF TIME
TO FILE APPELLANTS' INITIAL
BRIEF AND DESIGNATION OF
MATTER**

Columbia, South Carolina
February 11, 2019

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SOUTH CAROLINA
Workers' Compensation Commission

RECEIVED
FEB 11 2019
SC Court of Appeals

Commissioners Susan S. Barden, Gene McCaskill, and Melody L. James

SC Court of Appeal's No. 2018-002245

Herman L. Tate, Sr., Employee,Respondent,

v.

Nestle Frozen Food/Nestle USA, Employer, and Indemnity Insurance Co.
of N.A., Carrier, Appellants.

PROOF OF SERVICE

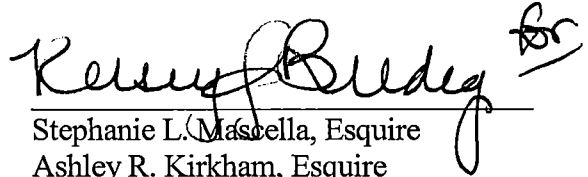
The undersigned employee of Collins & Lacy, P.C., does hereby certify that she has caused to be served on February 11, 2019, a copy of Appellants' Motion For Extension Of Time To File Appellants' Initial Brief and Designation Of Matter by mailing a copy of same to the following named individual(s) by United States mail, with sufficient postage affixed thereto and return address clearly marked:

Michael A. Hart, Esquire
George Sink, PA Injury Lawyers
715 Congaree Rd
Greenville, SC 29607

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,

COLLINS & LACY, P.C.

Handwritten signature of Stephanie L. Mascella in cursive, with a small 'br' mark to the right.

Stephanie L. Mascella, Esquire
Ashley R. Kirkham, Esquire
1330 Lady Street, Sixth Floor (29201)
Post Office Box 12487
Columbia, South Carolina 29211
803.256.2660 (office)
803.771.4484 (fax)

COUNSEL FOR APPELLANTS

**PROOF OF SERVICE - MOTION FOR
EXTENSION OF TIME TO FILE
APPELLANTS' INITIAL BRIEF AND
DESIGNATION OF MATTER**

Columbia, South Carolina
February 11, 2019



Stephanie L. Mascella | D: 843.353.2335 | E: smascella@collinsandlacy.com

February 11, 2019

VIA HAND DELIVERY

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RECEIVED
FEB 11 2019
SC Court of Appeals

Re: Tate v. Nestle USA, Inc.
WCC File No. 1609488
SC Court of Appeals No. 2018-002245
C&L File No. 001669-00822

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of Appellants' Motion for Extension of Time to file Appellants' Initial Brief and Designation of Matter in the above referenced matter. Also enclosed are our firm's check in the amount of \$50.00, representing the filing fee of same. Please file the original motion and six copies and return a clocked copy of same via our courier.

By copy of this letter and enclosure, we are serving same on counsel of record.

Thank you for your time and attention. Should you have any questions or concerns, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie L. Mascella". There is a small mark at the end of the signature that looks like "for".
Stephanie L. Mascella

SLM/mmm

Enclosures

cc (via US Mail):

Michael A. Hart, Esquire