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NELSON MULLINS RILEY & SCARBOROUGH LLP
ATTORNEYS AND COUNSELORS AT LAW

A. Mattison Bogan
T 803.255.9589 F 803.255.5916
matt.bogan@nelsonmullins.com

1320 Main Street | 17th Floor
Columbia, SC 29201
T 803.799.2000 F 803.256.7500
nelsonmullins.com

August 6, 2019

RECEIVED

AUG 06 2019

SC Court of Appeals

Hand Delivered

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

RE: Trident Medical Center, LLC, d/b/a Trident Medical Center vs. South Carolina Department of Health and Environmental Control, Medical University Hospital Authority, d/b/a MUSC Radiation Therapy Center-Berkeley County, and Roper St. Francis Hospital – Berkeley, Inc. d/b/a Roper St. Francis Hospital – Berkeley
Docket No. 18-ALJ-07-0100-CC
Appellate Case No. 2019-001159
Our File No. 019243/01524

Dear Ms. Kitchings:

Pursuant to Rules 208 and 240 of the South Carolina Appellate Court Rules, Appellant Medical University Hospital Authority d/b/a MUSC Radiation Therapy Center – Berkeley County (“MUSC Radiation”) respectfully requests a thirty (30) day extension of time to file its Initial Appellant’s Brief and Designation of Matter.

Undersigned counsel seeks this extension because of other existing and intervening deadlines in the United States Supreme Court, Fourth Circuit, and South Carolina Supreme Court. This is the first requested extension of time by Appellant in this appeal. Undersigned counsel has communicated with counsel of record for the other parties to this action and they consent to this extension request. (See attached emails re: consent.)

The current due date for Appellant’s Initial Brief and Designation of Matters is August 14, 2019. With the thirty-day extension, Appellant’s initial brief and designation would be due on Friday, September 13, 2019.

The Honorable Jenny Abbott Kitchings
August 6, 2019
Page 2

Thank you for your kind consideration of this request. The filing fee associated with this request is included herein.

Very truly yours,

A handwritten signature in black ink that reads "Matt Bogan". The signature is written in a cursive, slightly slanted style.

A. Mattison Bogan

AMB:mk

cc: Ashley C. Biggers, Esquire
Vito M. Wicevic, Esquire
William R. Thomas, Esquire
David B. Summer, Jr., Esquire

Roxanne Englin

From: Summer, David B., Jr. <davidsummer@parkerpoe.com>
Sent: Monday, August 5, 2019 2:34 PM
To: Matt Bogan
Cc: biggerac@dhec.sc.gov; Thomas, William R.; wicevilm@dhec.sc.gov; Travis Dayhuff; Roxanne Englin; Meredith Keane
Subject: Re: Trident v. DHEC & MUSCA; court of appeals case no. 2019-1159

Matt, Trident consents.

Sent from my iPhone

On Aug 5, 2019, at 11:22 AM, Matt Bogan <Matt.Bogan@nelsonmullins.com> wrote:

Caution: External email

Counsel,

Will you consent to a motion for an extension of time for me to file our initial appellate brief at the court of appeals in the above referenced appeal? Currently our brief is due on August 14. I will be asking for 30 additional days making the new deadline September 13, 2019. I am requesting more time do to existing and intervening appellate deadlines in other courts. Your professional courtesy is much appreciated. Please kindly let me know if you have any objection to the motion. Thank you very much. Matt Bogan

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David Summer, Jr.
Partner

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Roxanne Englin

From: Biggers, Ashley <biggerac@dhec.sc.gov>
Sent: Monday, August 5, 2019 11:29 AM
To: Matt Bogan; willthomas@parkerpoe.com; davidsummer@parkerpoe.com; Wicevic, Vito
Cc: Travis Dayhuff; Roxanne Englin; Meredith Keane
Subject: Re: Trident v. DHEC & MUSCA; court of appeals case no. 2019-1159

DHEC consents.

Thank you,
Ashley

Ashley C. Biggers
Chief Counsel for Health Regulation
S.C. Dept. of Health & Environmental Control
Office: (803) 898-3362
Mobile: (803) 354-2928
Connect: www.scdhec.gov [Facebook](#) [Twitter](#)



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From: Matt Bogan <Matt.Bogan@nelsonmullins.com>
Sent: Monday, August 5, 2019 11:22:49 AM
To: Biggers, Ashley <biggerac@dhec.sc.gov>; willthomas@parkerpoe.com <willthomas@parkerpoe.com>; davidsummer@parkerpoe.com <davidsummer@parkerpoe.com>; Wicevic, Vito <wicevilm@dhec.sc.gov>
Cc: Travis Dayhuff <travis.dayhuff@nelsonmullins.com>; Roxanne Englin <roxanne.englin@nelsonmullins.com>; Meredith Keane <meredith.keane@nelsonmullins.com>
Subject: Trident v. DHEC & MUSCA; court of appeals case no. 2019-1159

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Counsel,

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have any objection to the motion. Thank you very much. Matt
Bogan

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