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**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM GREENVILLE COUNTY
Circuit Court**

RECEIVED

The Honorable R. Lawton McIntosh, Circuit Court Judge

SEP 03 2019

SC Court of Appeals

Appellate Case No. 2018-001444

Encore Technology Group, LLC.....Respondent/Appellant,

v.

Keone Trask and Clear Touch Interactive, Inc.
f/k/a Clear Touch Interactive, LLC.....Appellants/Respondents

AND

Clear Touch Interactive, Inc. f/ka Clear Touch
Interactive, LLC.....Appellants/Respondents

v.

Encore Technology Group, LLC.....Respondent/Appellant.

**MOTION FOR EXTENSION OF TIME APPELLANTS'/RESPONDENTS'
INITIAL BRIEF AND DESIGNATION OF MATTER**

Appellants/Respondents, Keone Trask and Clear Touch Interactive, Inc. f/k/a Clear Touch Interactive, LLC, ("Clear Touch") by and through their undersigned counsel, respectfully move this Court for an Order granting this Motion for Extension of Time to file Appellants'/Respondents' Initial Response Brief.

Clear Touch filed multiple appeals, all of which were consolidated into the present appellate case number. Clear Touch filed their Initial Brief and Designation

of Matter on March 14, 2019.¹ They had earlier filed a Motion to Exceed the Page limitations under SCACR, resulting the Court instructing Clear Touch to submit their Initial Brief for review, after which it would rule upon the Motion.

Respondent/Appellant, Encore Technology Group, LLC (“Encore”) filed a cross appeal under the present case number as well. Encore filed Respondent’s/Appellant’s Initial Brief and Designation of Matters for their cross appeal on March 15, 2019.

On April 8, 2019, the Court issued a letter informing the Parties that all filing deadlines would be held in abeyance pending consideration of the Motion to Exceed Page Limitations. On April 25, 2019, the Court issued an Order granting the Motion and allowing Clear Touch to submit a brief of up to 60 pages. Clear Touch submitted an Amended Initial Brief on June 27, 2019.

There was some confusion as to the deadline for responding to Encore’s Initial Brief due the above-mentioned events. On August 14, 2019, the Court sent a letter stating that the time for Clear Touch’s Initial Response Brief had expired. Clear Touch’s counsel’s office reached out to the Court, and it was determined there was confusion as to the deadline for filing the Initial Response Brief in response to Encore’s cross appeal, leading to the Court issuing a replacement letter dated August 16, 2019, stating Clear Touch had thirty (30) days from the date of the letter to file

¹ This brief was approximately 100 pages long.

their Initial Response Brief and Designation of Matter.

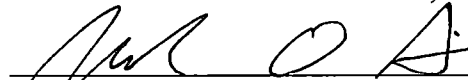
Given counsel for Clear Touch's schedule and obligations during the month of September, they cannot file an Initial Response Brief within the current deadline. Specifically, counsel for Clear Touch has to travel out of the country during two weeks of September for multiple depositions and other proceedings, as well as take several other depositions in Greenville, Alabama, and North Carolina the same month. Furthermore, Clear Touch has an appellate brief due in a related appeal on or before September 23, 2019. Due to all of these obligations, Clear Touch counsel does not have adequate time to prepare and file an Initial Response Brief in response to Encore's cross appeal.

For these reasons stated herein, movants respectfully request a reasonable extension of time of thirty (30) days to file Appellants'/Respondents' Initial Response Brief. Respondent/Appellant (Encore) has given their consent to this extension.

(signature page to follow)

Respectfully Submitted,

ROE CASSIDY COATES & PRICE, P.A.



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Attorneys for Appellants/Respondents

August 30, 2019
Greenville, South Carolina

Other Counsel of Record:

Gregory J. English, Esq.

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Attorneys for Appellant Encore Technology Group, LLC

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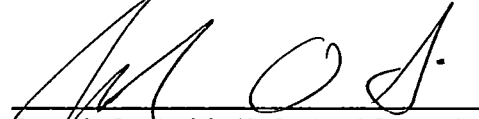
Encore Technology Group, LLC.....Respondent/Appellant.

PROOF OF SERVICE

I certify that I have served the Motion for Extension of Time to File Respondents' Initial Brief and Designation of Matter on the above-named Respondent/Appellant by depositing a copy of it in the United States Mail, postage prepaid, on August 30, 2019, addressed to counsel of record as follows.

Gregory J. English, Esq.
Rita Bolt Barker, Esq.
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ROE CASSIDY COATES & PRICE, P.A.



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August 30, 2019
Greenville, South Carolina



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August 30, 2019

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SEP 03 2019

SC Court of Appeals

VIA USPS

Honorable Jenny Abbott Kitchings
Clerk of Court
S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

**Re: *Encore Technology Group LLC v. Keone Trask and Clear Touch Interactive, Inc.,
f/k/a Clear Touch Interactive, LLC***
Appellate Case No. 2018-001444
RCCP No. 2626.0001A

Dear Madam Clerk:

Enclosed please find the original and six copies of Appellants/Respondents' Motion for Extension of Time to File Respondents' Initial Brief and Designation of Matter in the above-referenced case. We are requesting a thirty (30) day extension which would make the deadline October 15, 2019.

I have also enclosed the Proof of Service on Respondents/Appellants and a \$50.00 check to cover the cost of the filing fee. Please file both documents in your office and return the filed copy to me in the envelope provided herein. By copy of this letter, we are serving counsel for Respondent/Appellant with a copy of same.

If you have any questions or concerns, please do not hesitate to contact me.

With kind regards, I am

Sincerely,

ROE CASSIDY COATES & PRICE PA


Joseph O. Smith

JOS/ads

cc: Gregory English, Esq.
Rita Barker, Esq.

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08/30/2019
US POSTAGE \$002.05⁰

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Hon. Jenny Abbott Kitchings
Clerk of Court
S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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