

90809



**RECEIVED**  
 SEP 09 2019  
 SC Court of Appeals

Justin P. Novak, Esquire  
 jnovak@barnwell-whaley.com  
 Charleston Office

September 3, 2019

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

**RE: Cary E. Fechter, MD, Respondent, v. Leon Martin Ortner, The Ortner Law Firm, LLC, Gerald Rosenthal, and Rosenthal, Levy, Simon, and Ryles, Defendants, Of Which Leon Martin Ortner and The Ortner Law Firm, LLC are Appellants**  
 Appellate Case No. 2019-001230  
 Our Matter No. 4065.001

Dear Ms. Kitchings:

I represent Appellants Leon Martin Ortner and The Ortner Law Firm, LLC in the above-referenced matter along with Dawes Cooke, Jr. and John Fletcher. As you may know, Appellant's Reply to Respondent's Motion to Dismiss Appeal are required to be served and filed on or before September 3, 2019.

In light of the threat of Hurricane Dorian and the resulting mandatory evacuation of Charleston County, Appellant respectfully requests a ten (10) day extension of time pursuant to Rule 263(b), SCACR, to serve and file Appellant's Reply to Respondent's Motion to Dismiss Appeal. The granting of the request would mean that these documents would be required to be served and filed on or before September 13, 2019. Please find enclosed a check for the required filing fee of \$50.00.

As always, thank you for your assistance in this matter. Please do not hesitate to contact me with any questions or concerns.

Regards,

Justin P. Novak

JPN

Enclosures

cc: Melvin D. Bannister, Esquire  
 Michael E. Kozlarek, Esquire

{00926339.DOCX.1 }

[www.barnwell-whaley.com](http://www.barnwell-whaley.com)

SOUTH CAROLINA OFFICE:  
 288 Meeting Street, Suite 200, Charleston, SC 29401  
 P 843.577.7700 F 843.577.7708

NORTH CAROLINA OFFICE:  
 201N. FrontStreet, Suite 1003, Wilmington, NC 28401  
 P 910.679.1388 F 910.679.4663

REPRESENTING CLIENTS IN ALL COURTS IN SOUTH CAROLINA AND NORTH CAROLINA AND IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**BARNWELL  
WHALEY**

PATTERSON & HELMS LLC

**80**  
YEARS ■ 1938-2018

P.O. Drawer H | Charleston SC 29402-0197

COLUMBIA  
SC 290  
07 SEP 19  
PM 4 L



**RECEIVED**

SEP 09 2019

SC Court of Appeals

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

29201-376999

