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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable Doyet A. Early, III, Circuit Court Judge

RECEIVED
SEP 18 2019
SC Court of Appeals

Case No. 2016-CP-40-00100

Hills Machinery Company, LLC, Respondent/Appellant,
v.

Jackson Development Group, LLC, and J. Elliott Summey, Appellants/Respondents.

MOTION AND AFFIDAVIT IN SUPPORT OF MOTION
FOR ADDITIONAL EXTENSION OF TIME TO FILE
INITIAL APPELLANT'S BRIEF AND DESIGNATION OF MATTER
OF RESPONDENT/APPELLANT HILLS MACHINERY COMPANY, LLC

M. Baron Stanton (S.C. Bar #7970)
STANTON LAW OFFICES, P.A.
1728 Main Street (29201)
P. O. Box 245
Columbia, SC 29202
803-929-1484
bstanton@stantonlaw.com

ATTORNEY FOR RESPONDENT/APPELLANT
HILLS MACHINERY COMPANY, LLC

Date: 9-16-19

Respondent/Appellant Hills Machinery Company, Inc. moves the Court for an order granting an additional extension of thirty (30) days, if needed, in which to file the initial Appellant's Brief of Respondent/Appellant and Designation of Matter to Be Included in the Record on Appeal, putting these things due October 18, 2019. Hills Machinery Company, LLC has once before received a thirty day extension, by letter request, for good cause, which puts the present deadline at September 18. Opposing counsel consents to the motion.

The grounds for this motion, which the undersigned hereby swears and affirms are correct, are that good cause exists, to wit, a series of impediments and compounding factors have prevented Respondent/Appellant's counsel from being able to complete the items in the extended time allowed, including, but not limited to the following:

1. After a few years of waiting for the least worst time and planning for contingencies and interruptions, the undersigned commenced a wholesale technology upgrade beginning early in the summer. It included all new computers and operating systems, some forced changes in software, workarounds for some old software, and plans to selectively change out peripheral devices. The implementation has been phased in, to avoid multiple unexpected issues at one time. In short, it is still taking longer than hoped and has still been unavoidably problematic in ways not anticipated, which is often the case. This has demanded additional time to be devoted to the task, as well as slowed productivity as a result of getting accustomed to new software, new devices, and new methods of storage, security, backup, etc. Several stages or items are still to be completed.

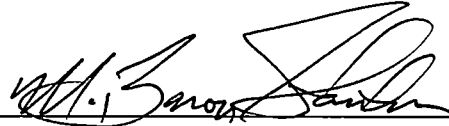
2. Compounding things a bit, on August 24, one of the students at my son's school, who was a good friend of my son's, lost his life in an accident and virtually the whole school came together and changed schedule and programming for a large part of a week. We naturally dropped

what we were doing during several segments of the following week.

3. Hurricane Dorian required me to make a trip to the South Carolina coast for preventative measures, involving moving one floor of contents to another, securing the exterior, setting or shutting down systems, etc. After contracting a popular throat, sinus and respiratory virus, I then returned a week later, immediately after Dorian's September 5 South Carolina impact (if not seeming landfall at our property), to start mitigation and repair measures for four days at one location. This was without all necessary tools and equipment or automotive facilitation: the road to the property was closed and inaccessible for a mile from the house for the four days, requiring such measures as doubleheading down the beach for a mile each way on a motorcycle, with a six gallon wet vac strapped to the handlebars. I have since gotten into insurance matters and also had to return again a week later, September 13-15, to pursue, cajole, court and attempt to schedule what repair assistance might be available during a time of heavy demand. This process continues. We have other interests in the same area which were not as badly affected, but which will also require some followup and repair of minor things which if ignored could cause larger problems. (I now also have to get work done to my vehicle, on which it appears salt water or something has caused a piston for the brake caliper to stick, wearing out the remaining brake pad and gouging a deep groove into the rotor of the disk brakes.)

For these and other reasons on which I will not presently elaborate further, we respectfully request until October 18, 2019, if needed, in which to file the stated items.

Respectfully submitted,



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ATTORNEY FOR RESPONDENT/APPELLANT
HILLS MACHINERY COMPANY, LLC

Comes before me on September 16th, 2019,
M. Baron Stanton, who, being duly sworn, states
that the foregoing grounds are true of his own knowledge.

Amanda J. Davis
Notary Public for S.C.
My comm'n exp. 9/28/27

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CERTIFICATE OF SERVICE

I, M. Baron Stanton, do hereby certify that I have, on September 16, 2019, served the foregoing **Motion** upon Appellants/Respondents or attorney(s) for same by causing a copy thereof to be mailed with proper postage to the address(es) indicated below:

Tucker S. Player, Esquire
Attorney for Defendants
P.O. Box 21005
Columbia, SC 29221

Arnold Goodstein, Esquire
Attorney for Defendants
208 Sumter Avenue
Summerville, SC 29483


M. Baron Stanton

Date: 9-16-19

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September 16, 2019

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M. BARON STANTON
ATTORNEY AT LAW

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

Re: **Hills Machinery Company, LLC** v. Jackson Development Group, LLC, and
J. Elliott Summey,
Richland County Court of Common Pleas, Case No. 16-CP-40-100
Court of Appeals Appellate Case No. 2019-000623

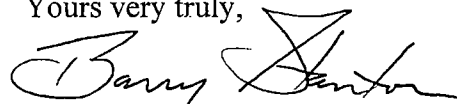
Dear Ms. Kitchings:

We enclose the following:

1. The original and six (6) copies of a motion and affidavit in support of motion for additional extension of time to file the initial Appellant's Brief of Respondent/Appellant and designation of matter (including in the document, the affidavit and certificate of service); and
2. The motion fee of \$50.

With kind regards,

Yours very truly,

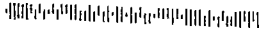

M. Baron Stanton

MBS:dmy
Enclosures

cc w/encl.: Tucker S. Player, Esquire
Arnold S. Goodstein, Esquire
Jenny A. Horne, Esquire

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