

90941

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHEROKEE COUNTY  
Circuit Court

Grace Gilchrist Knie, Circuit Court Judge

Case No. 2018-CP-11-00825

Appellate Case No. 2019-001451

**RECEIVED**  
SEP 23 2019  
SC Court of Appeals

Herbie's Famous Fireworks, Inc. (HFF, LLC)  
T/A South Carolina Distributors, Inc. .... Appellant,

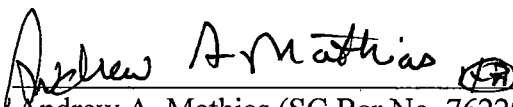
v.

Fantasy Fireworks, Inc. .... Respondent.

**MOTION FOR EXTENSION OF TIME TO ORDER AND DELIVER TRANSCRIPT**

COMES NOW Herbie's Famous Fireworks, Inc. (HFF, LLC) T/A South Carolina Distributors, Inc. ("Appellant"), by and through undersigned counsel and pursuant to Rules 207 and 240 of the South Carolina Appellate Court Rules, and moves this Court for an order granting it an extension of time to order and deliver the transcript from the June 10, 2019 hearing on Respondent Fantasy Fireworks, Inc.'s ("Respondent") motion to dismiss. A copy of undersigned counsel's correspondence with the court reporter is attached to this motion as *Exhibit A*. Appellant hereby certifies that this motion is not made for purpose of improper delay or any other improper purpose.

[SIGNATURE PAGE FOLLOWS]

*Andrew A Mathias* 

---

Andrew A. Mathias (SC Bar No. 76220)  
Konstantine P. Diamaduros (SC Bar No. 102231)  
NEXSEN PRUET, LLC  
55 E. Camperdown Way, Suite 400 (29601)  
Post Office Box 10648  
Greenville, South Carolina 29603-0648  
Telephone: (864) 370-2211  
Facsimile: (864) 282-1177  
AMathias@nexsenpruet.com  
KDiamaduros@nexsenpruet.com

*Attorneys for Herbie's Famous Fireworks, Inc.  
(HFF, LLC) T/A South Carolina Distributors, Inc.*

September 23, 2019  
Greenville, South Carolina

# **EXHIBIT A**

# NEXSEN | PRUET

**Konstantine P Diamaduros**  
Associate

September 23, 2019

**VIA E-MAIL AND U.S. MAIL**

Michael R. Watts  
489 Edgewater Drive  
Gaffney, SC 29340  
mwatts@sccourts.org

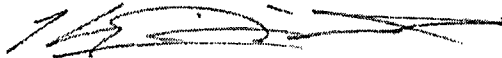
Re: Request for Transcript re *Herbie's Famous Fireworks, Inc. v. Fantasy Fireworks, Inc.*, Case No. 2018-CP-11-00825; Appellate Case No. 2019-001451

Dear Mr. Watts:

On June 10, 2019, a hearing was held in Gaffney before the Honorable Grace Gilchrist Knie on Defendant's Motion to Dismiss for Lack of Jurisdiction. Please create a transcript of this hearing and mail it, addressed to my attention, to the address listed below. In addition, pursuant to SCACR 207(a)(1), please acknowledge receipt of this request within five business days. Lastly, please allow this letter to serve as confirmation of our willingness to pay the per-page fee for the transcript. If there is any way to expedite the receipt of this transcript, please let me know and we will pay any additional fee associated with such a request.

Charleston  
Charlotte  
Columbia  
Greensboro  
**Greenville**  
Hilton Head  
Myrtle Beach  
Raleigh

Sincerely,



Konstantine P. Diamaduros

cc: The Hon. Jenny A. Kitchings, Clerk of Court  
Tonnya K. Kohn, Office of Court Administration  
John Strickland, Esq.

55 East Camperdown Way  
Suite 400 (29601)  
PO BOX 10648  
Greenville, SC 29603-0648  
www.nexsenpruet.com

T 864.282.1173  
F 864.282.1177  
E KDiamaduros@nexsenpruet.com  
Nexsen Pruet, LLC  
**Attorneys and Counselors at Law**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHEROKEE COUNTY  
Circuit Court

Grace Gilchrist Knie, Circuit Court Judge

Case No. 2018-CP-11-00825

Appellate Case No. 2019-001451

**RECEIVED**  
SEP 23 2019  
SC Court of Appeals

Herbie's Famous Fireworks, Inc. (HFF, LLC)  
T/A South Carolina Distributors, Inc. .... Appellant,

v.

Fantasy Fireworks, Inc. .... Respondent.

**PROOF OF SERVICE**

I certify that I have served the Motion for Extension of Time to Order and Deliver Transcript on September 23, 2019 on the above named Respondent by depositing a copy of it in the United States Mail, postage prepaid, on September 23, 2019, addressed to counsel of record for Respondent as follows:

John Strickland, Esq.  
Strickland Law Firm  
184 N. Daniel Morgan Ave.  
Spartanburg, South Carolina 29306  
*Attorney for Fantasy Fireworks, Inc.*

  
NEXSEN PRUET, LLC

Konstantine P Diamaduros  
Associate

September 23, 2019

VIA HAND DELIVERY

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

Re: *Herbie's Famous Fireworks, Inc. (HFF, LLC) T/A South Carolina Distributors, Inc. v. Fantasy Fireworks, Inc. Appellate Case No. 2019-001451*

Dear Ms. Kitchings:

Please find enclosed an original and six (6) copies of a Motion for Extension of Time to Order and Deliver Transcript and Proof of Service for filing in the above-referenced matter. Also enclosed is a check in the amount of \$50.00 to cover the filing fee. I would appreciate your returning the "clocked" copy to our courier.

Should you have any questions regarding this matter, please do not hesitate to contact me.

By copy of this letter, I am serving the Respondent with copies of the same.

Sincerely,

*Konstantine P. Diamaduros*  
Konstantine P. Diamaduros

KPD/smr  
Enclosures

cc: John Strickland, Esq.

**RECEIVED**  
SEP 23 2019  
SC Court of Appeals