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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Hon. Doyet A. Early, Circuit Court Judge

RECEIVED

OCT 01 2019

Appellate Case No. 2019-000648
Civil Action No. 2018-CP-40-02425

SC Court of Appeals

Jefferson Davis, Jr. Appellant,

v.

Ellen Weaver, Chad Connelly, Oran P. Smith, Neil J. Mellen, Howard S. Rich, Rick Reames, Stephen D. Kirkland, Palmetto Promise Institute, Palmetto Family Council, Palmetto Family Action, South Carolinians for Responsible Government, SCRG Foundation, Access Opportunity South Carolina, Friedman Foundation for Educational Choice, Inc., Cato Institute, South Carolina Educational Credit for Exceptional Needs Children Fund, South Carolina Education Oversight Committee, South Carolina Department of Revenue, South Carolina Department of Labor, Licensing and Regulation, First Impressions, Inc., d/b/a Richard Quinn & Associates, First Tuesday Strategies, LLC, Bill Wilson, Jason Bedrick, Jim DeMint, Randy Page, Tony Denny, Phillip Cease, Melanie Barton, Doris Cubitt, Susan Thomas, John McCormick, Nate Leupp, Institute of Management Consultants USA and John Doe(s) 1-40. Respondents.

FRIEDMAN FOUNDATION FOR EDUCATION CHOICE, INC.'S MOTION FOR EXTENSION OF TIME TO FILE AND SERVE RESPONSIVE BRIEF AND COUNTER-DESIGNATIONS

NELSON MULLINS RILEY & SCARBOROUGH LLP

Christopher J. Daniels
1320 Main Street / 17th Floor
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Columbia, SC 29201
(803) 799-2000

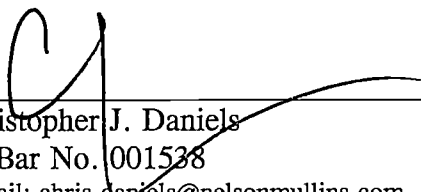
Attorneys for EdChoice, Inc., on behalf of incorrectly identified Friedman Foundation for Educational Choice, Inc.

Appellee EdChoice, Inc. (“EdChoice”), on behalf of incorrectly identified Friedman Foundation for Educational Choice, Inc., pursuant to Rules 208, 240, and 263 of the South Carolina Appellate Court Rules, hereby moves for a thirty-day extension of time to file and serve its responsive brief and any counter-designations in the above-appeal and states the following:

1. *Pro se* Appellant Jefferson Davis, Jr. filed his initial brief in this matter on September 9, 2019, after receiving three extensions of time to do so.
2. Pursuant to SCACR 208(a)(2), Appellee EdChoice has thirty days to file a responsive brief and any counter-designations.
3. The current deadline of October 9, 2019 has not expired.
4. Appellee EdChoice requests a thirty-day extension of time from its initial deadline to file a responsive brief and any counter-designations, with such new deadline being November 8, 2019.
5. This Motion is made in good faith and not for purposes of delay as the undersigned counsel has intervening deadlines and long-standing family vacation plans.

WHEREFORE, the undersigned respectfully requests a thirty-day extension of time lasting until November 8, 2019 in which to file and serve its responsive brief and any counter-designations in this matter.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 
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*Attorneys for EdChoice, Inc., on behalf of incorrectly
identified Friedman Foundation for Educational Choice, Inc.*

Columbia, South Carolina

10 | 11, 2019

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CERTIFICATE OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Friedman Foundation for Educational Choice, Inc., do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by **Electronic Mail** and United States Mail, postage prepaid, to the following address(es):

Pleadings:

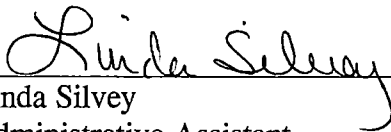
Friedman Foundation For Educational Choice, Inc.'s Motion for Extension of Time to File and Serve Responsive Brief and Counter-Designations

Counsel Served:

Jefferson Davis, Jr. 403 McCarter Avenue Greenville, SC 29615 Pro Se Plaintiff	J. Kenneth Carter, Jr., Esquire Ross C. DuRant, Esquire P.O. Box 1473 Columbia, SC 29201 Attorneys for Ellen Weaver, Oran P. Smith, Palmetto Promise Institute and Jim DeMint
Douglas W. MacKelcan, Esquire William J. Farley, III, Esquire Carlock, Copeland & Stair, LLP 40 Calhoun St. Suite 400 Charleston, SC 29401-3531 Attorneys for Stephen D. Kirkland	Charles J. Boykin, Esquire Kenneth A. Davis, Esquire Christopher S. Elliott, Esquire Boykin & Davis, LLC 220 Stoneridge Dr., Suite 100 P.O. Box 11844 Columbia, SC 29210 Attorneys for SC Education Oversight Committee and Melanie Barton

<p>M. Dawes Cooke, Jr., Esquire Justin Novak, Esquire Barnwell Whaley P.O. Drawer H Charleston, SC 29402</p> <p>Attorney for SC Educational Credit for Exceptional Needs Children Fund and Randy Page</p>	<p>Geoffrey K. Chambers, Esquire 411 Walnut St. No. 10646 Green Cove Springs, FL 32043</p> <p>Attorney for SC Educational Credit for Exceptional Needs Children Fund and Randy Page</p>
<p>Mark S. Barrow, Esquire Sweeny, Wingate & Barrow, PA P.O. Box 12129 Columbia, SC 29211</p> <p>Attorneys for Palmetto Family Council and Palmetto Family Alliance</p>	<p>Martin S. Driggers, Jr., Esquire Sweeny, Wingate & Barrow, PA 115 Cargill Way, Suite B Hartsville, SC 29550</p> <p>Attorneys for Palmetto Family Council and Palmetto Family Alliance</p>
<p>William H. Davidson, II, Esquire Michael B. Wren, Esquire Davidson, Wren & Plyler, P.A. 1611 Devonshire Dr. Second Floor P.O. Box 8568 Columbia, SC 29202</p> <p>Attorneys for SC Dept. of Revenue and Rick Reames</p>	<p>Joseph M. McCulloch, Esquire Kathy R. Schillaci, Esquire McCullouch & Schillaci 1513 Hampton St. P.O. Box 11623 Columbia, SC 29211</p> <p>Attorneys for First Tuesday Strategies, LLC</p>
<p>Kelley S. Cannon, Esquire Howser, Newman & Besley, L.L.C. P.O. Box 12009 Columbia, SC 29211</p> <p>Attorney for SC Department of Labor, Licensing and Regulation and Doris Cubitt</p>	<p>Miles Coleman, Esquire Nelson Mullins Riley & Scarborough LLP Poinsett Plaza 104 South Main St. Suite 900 Greenville, SC 29601</p> <p>Attorney for SCRG Foundation, Cato Institute and Howard Rich</p>

<p>Jennifer F. Nutter, Esquire Hood Law Firm, LLC 172 Meeting St. P.O. Box 1508 Charleston, SC 29402</p> <p>Attorney for Institute of Management Consultants USA</p>	<p>William H. Jordan, Esquire Robinson Gray Stepp & Laffitte, LLC P.O. Box 11449 Columbia, SC 29211</p> <p>Attorney for South Carolinians for Responsible Government and Philip Cease</p>
<p>Benjamin Mustian, Esquire 141 Pelham Dr., Suite F #108 Columbia, SC 29209</p> <p>Attorney for Richard Quinn and Associates and First Impressions Inc.</p>	<p>Jason P. Luther. Esquire South Carolina Department of Revenue P.O. Box 12265 Columbia, SC 29211</p> <p>Attorney for SC Dept. of Revenue</p>
<p>Alan Jones, Esquire Turner Padget Graham & Laney, P.A. P.O. Box 1473 Columbia, SC 29202</p> <p>Attorney for Tony Denny</p>	<p>James Goldin, Esquire Turner Padget Graham & Laney, P.A. P.O. Box 1473 Columbia, SC 29202</p> <p>Attorney for Access Opportunity South Carolina</p>



 Linda Silvey
 Administrative Assistant

Oct. 1, 2019



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SC Court of Appeals

Hand Delivered

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
1220 Senate St.
Columbia, SC 29201

RE: Jefferson Davis, Jr., v. Ellen Weaver, et al.
Civil Action No. 2018-CP-40-02425
Appellate Case No. 2019-000648
Our File No. 033687/01500

Dear Ms. Kitchings:

Enclosed are the original and seven copies of Friedman Foundation For Educational Choice, Inc.'s Motion for Extension of Time to File and Serve Responsive Brief and Counter-Designations. Please file the original and six copies and return a clocked in copy to us via our courier. We are also enclosing the filing fee in the amount of \$50.00.

We are serving a copy of same to all parties of record.

Very truly yours,


Christopher J. Daniels

CJD:ljs

Enclosures

cc: Jefferson Davis, Jr., Pro Se (via U.S. Mail and electronic mail)
J. Kenneth Carter, Jr., Esquire (via U.S. Mail and electronic mail)

The Honorable Jenny A. Kitchings
October 1, 2019
Page 2

Ross C. DuRant, Esquire (via U.S. Mail and electronic mail)
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Miles Coleman, Esquire (via U.S. Mail and electronic mail)
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