

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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S.C. SUPREME COURT

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Ralph King Anderson, III, Administrative Law Judge

Appellate Case No. 2019-000074

South Carolina Coastal Conservation League Appellant,

v.

South Carolina Department of Health and Environmental Control, KDP II, LLC,
and KRA Development, LP, Respondents.

**MOTION TO HOLD APPELLANT'S INITIAL REPLY
BRIEF DEADLINE IN ABEYANCE**

TO: ALL PARTIES AND THE SOUTH CAROLINA SUPREME COURT:

PLEASE TAKE NOTICE that the Appellant South Carolina Coastal Conservation League ("League") hereby moves the Supreme Court to hold in abeyance the time for filing its initial reply brief to Respondents KDP II, LLC, and KRA Development, LP's ("KDP II") initial brief. Counsel for the Appellant Coastal Conservation League consulted with counsel for Respondent South Carolina Department of Health and Environmental Control ("DHEC") and Respondents KDP II, LLC, and KRA Development, LP, both of whom consent to this motion.

The basis of this motion is as follows:

On October 16, 2019, Respondent DHEC filed an uncontested motion for extension of time to file its initial brief until November 18, 2019. Respondents KDP II filed their initial brief

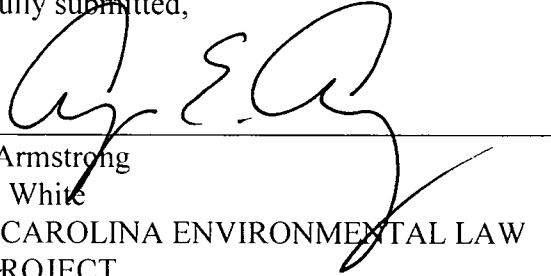
on October 18, 2019. As such, Appellant's initial reply brief to KDP II's brief is due on October 28, 2019, and assuming that Respondent DHEC's motion is granted, Appellant's initial reply brief to DHEC's brief would be due on December 2, 2019.

Counsel for the Coastal Conservation League expects that the two Respondents' briefs will overlap to some degree, and that the League will likely seek to file a single reply brief with a slightly expanded page limit; however, the League will not know whether it can address both Respondents' briefs in a single reply brief until receipt of DHEC's brief. Moreover, the League believes that in fairness its reply brief should not be filed until both Respondents' briefs have been filed.

This motion is being sought in order to streamline briefing and minimize or eliminate redundancy in Appellant's reply briefs.

WHEREFORE, the Coastal Conservation League requests that this Court issue an order holding the League's reply brief deadline to Respondent KDP II's brief in abeyance until Respondent DHEC files its brief.

Respectfully submitted,



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Georgetown, South Carolina

October 28, 2019

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Ralph King Anderson, III, Administrative Law Judge

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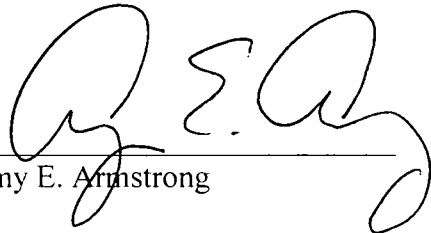
South Carolina Department of Health and Environmental Control, KDP II, LLC,
and KRA Development, LP, Respondents.

CERTIFICATE OF SERVICE

I hereby certify that on this date I served the foregoing Motion to Hold Appellant's Reply Brief Deadline in Abeyance on all parties by placing copies of same in the U.S. Mail addressed to:

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October 28, 2019