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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

Michael G. Nettles, Circuit Court Judge

Court of Appeals No. 2019-000486

Florence Common Pleas No. 2018-CP-21-03238

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SC Court of Appeals

Nationstar Mortgage LLC.....Plaintiff,

v.

Barbara A. Gibbs, Melvin E. Gibbs, and
Westbrook Phase IV Homeowners Association.....Defendants,

Of whom Barbara A. Gibbs and Melvin E. Gibbs are the.....Appellants,

v.

Nationstar Mortgage LLC.....Respondent.

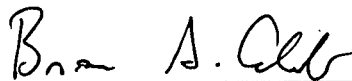
**MOTION FOR EXTENSION OF TIME TO FILE AND SERVE INITIAL
BRIEF AND DESIGNATION OF MATTERS TO BE INCLUDED ON APPEAL**

Pursuant to Rule 263(b), S.C.A.C.R., the undersigned counsel for Respondent Nationstar Mortgage LLC ("Nationstar") hereby moves for an extension of time to file Nationstar's Initial Brief and Designation of Matters to be Included in the Record on Appeal through the date of December 2, 2019.

On October 21, 2019, the United States Bankruptcy Court for the Northern District of Georgia (“Bankruptcy Court”) entered an order¹ granting limited relief from the stay so Appellants and Nationstar can litigate the merits of Appellants’ appeal before this Court. The grounds for this motion are that Respondent’s undersigned counsel requires additional time to investigate and respond to Appellants’ arguments and identify relevant materials for inclusion in the Record on Appeal after entry of the Bankruptcy Court’s relief-from-stay order.

To this end, Nationstar prays that the Court enter an order permitting Nationstar to file and serve its Initial Brief and Designation on or before December 2, 2019.

Submitted on this the 31st day of October, 2019



Brian A. Calub
(SC Bar #72009)

MCGUIREWOODS LLP
201 North Tryon Street, Suite 3000
Charlotte, North Carolina 28202
Telephone: (704) 343-2009
Facsimile: (704) 373-8842
bcalub@mcguirewoods.com

*Attorneys for Respondent
Nationstar Mortgage LLC*

¹ A copy of the Bankruptcy Court’s relief from stay order is attached as Exhibit 1.

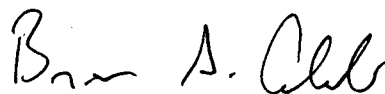
CERTIFICATE OF SERVICE

The undersigned certifies that Respondent Nationstar Mortgage LLC's *Motion for Extension of Time to File and Serve Initial Brief and Designation of Matter to be Included on Appeal* was served on the parties to this action by depositing a copy thereof in the United States Mail, first class, postage prepaid, on October 31, 2019, to the following:

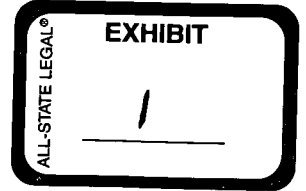
Barbara A. Gibbs, *Pro Se*
3108 Hidden Falls Drive
Buford, GA 30519

M. Eugene Gibbs, Esq.
3108 Hidden Falls Drive
Buford, GA 30519

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Brian A. Calub



IT IS ORDERED as set forth below:

Date: October 21, 2019

Wendy L. Hagenau

Wendy L. Hagenau
U.S. Bankruptcy Court Judge

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:

BARBARA A. GIBBS,

Debtor,

CASE NO. 19-54809-WLH

CHAPTER 13

ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY

The Court held a hearing in the above-styled case on October 16, 2019. Debtor, Debtor's husband M. Eugene Gibbs, counsel for Nationstar Mortgage LLC d/b/a Mr. Cooper, Taylor Mansell, Paul A. Rogers, and counsel for the Chapter 13 Trustee, Ryan Williams, were present. Mr. Gibbs, who is also the Plaintiff in a related adversary proceeding, stated he wished to proceed with the pending litigation in South Carolina. The Court construes his statements as an oral motion for relief from the automatic stay. All parties in interest were present and were in favor of the relief requested. For the reasons stated on the record, which the Court reserves the right to supplement,

IT IS ORDERED that Mr. Gibb's oral motion for relief from the automatic stay is **GRANTED**. The automatic stay is lifted for the parties to proceed with litigation pending in the Florence County South Carolina Court of Common Pleas case no. 2018-CP-21-03238 Nationstar Mortgage LLC vs. Gibbs and any appeals therefrom, provided that the stay is NOT lifted for purposes of collection of any amounts due from the Debtor.

END OF ORDER

Distribution List

M. Eugene Gibbs
3108 Hidden Falls Drive
Buford, GA 30519

Barbara Albyline Gibbs
3108 Hidden Falls Drive
Buford, GA 30519

Taylor S. Mansell
Shapiro Pendergast & Hasty LLLP
211 Perimeter Center Parkway NE, Suite 300
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Paul A. Rogers
McGuire Woods
1230 Peachtree Street NE
Promenade II, Suite 2100
Atlanta, GA 30309-3534

Ryan Williams
Nancy J. Whaley, Standing Chapter 13 Trustee
303 Peachtree Center Avenue
Suite 120, Suntrust Garden Plaza
Atlanta, GA 30303

Nationstar Mortgage LLC d/b/a Mr. Cooper
c/o Corporation Service Corporation
40 Technology Pkwy South, Ste 300
Norcross, GA 30092-2924

Bank of America
c/o CT Corporation System

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Lawrenceville, GA 30046-4805

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Brian A. Calub

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Via FedEx Overnight Delivery

October 31, 2019

Court of Appeals Clerk of Court
Attn: Civil Clerk
1220 Senate Street
Columbia, South Carolina 29201

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SC Court of Appeals

RE: Nationstar Mortgage LLC v. Barbara A. Gibbs, et al.
Court of Appeals No. 2019-000486
Florence County Court of Common Pleas No. 2018-CP-46-03238

Dear Clerk:

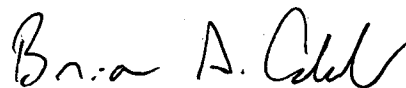
Enclosed please find an original and one (1) copy of Respondent Nationstar Mortgage LLC's Motion for Extension of Time to file an Initial Brief and Designation of Matters to be Included in the Record on Appeal ("Motion"). If the Motion meets with the Court's approval, kindly enter the Order and return a conformed copy to me in the enclosed self-addressed stamped envelope.

Also enclosed for filing is my Notice of Appearance of Counsel ("Notice") for said Respondent, along with one (1) copy. Please also return a file-stamped copy of the Notice to me in the enclosed self-addressed stamped envelope.

Finally, I am enclosing our check in the amount of \$50.00 to cover the Court's Motion Fee. Should you have any questions or need any further information, please feel free to contact me.

Thank you for your assistance.

Regards,



Brian A. Calub

Enclosures

cc: Barbara A. and Melvin E. Gibbs

ORIGIN ID: QWGA (704) 343-2000
TERRI C. PAYNE
MCGUIREWOODS LLP
201 NORTH TRYON ST
SUITE 3000
CHARLOTTE, NC 28202
UNITED STATES US

SHIP DATE: 31OCT19
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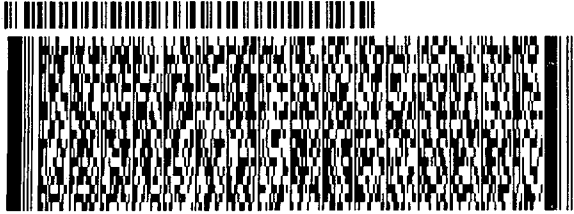
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CIVIL CLERK
1220 SENATE ST

COLUMBIA SC 29201

(704) 373-8067 REF: 2077275-0266
INV: PO: DEPT:

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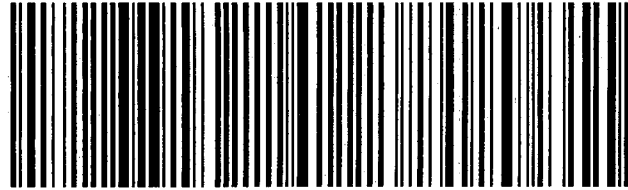
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SC Court of Appeals

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2. Place the label in a waybill pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.
3. Keep the second page as a receipt for your records. The receipt contains the terms and conditions of shipping and information useful for tracking your package.

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