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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHARELSTON COUNTY  
Court of Common Pleas

The Honorable Bentley Price, Circuit Court Judge

Gregory Muxlow.....Appellant,

v.  
Ruby Tuesday, KC Mulligan's, St. Ive's and Carroll Management Group.....Respondent.  
.....FEB 20 2020

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SC Court of Appeals

Appellate Case No. 2020-000129

**MOTION FOR PERMISSION TO ORDER TRANSCRIPT OUTSIDE OF FILING DEADLINES**

The appellant respectfully requests that the Appellate Court grant permission to order the transcript outside of filing deadlines. The appellant mistakenly interpreted the timeline of events after filing the Notice to mean the transcript must be ordered within ten days from being notified the Court has received the Notice, not from the date of service. As notification of acceptance was received on February 3, 2020, the request had not been made prior, but was requested on February 12, 2020, proof of which is enclosed. The appellant therefore respectfully requests permission to order the transcript at this time.

February 18, 2020

*Helena Jedziniak*  
Joshua T. Hawkins, S.C. Bar #78470  
Helena L. Jedziniak, S.C. Bar #100825  
Hawkins & Jedziniak, LLC  
1225 South Church Street  
Greenville, South Carolina 29605  
(864) 275-8142 (telephone)  
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josh@hjlsc.com  
helena@hjlsc.com  
**Attorneys for Appellants**

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Baker Ravenel Bender  
P.O. Box 8057  
Columbia, SC 29202  
**Attorney for Respondent Ruby Tuesday**

Christopher Lizzi  
Lizzi Law Firm, PC  
2170 Ashley Phosphate Road  
Suite 402  
North Charleston, SC 29406  
**Attorney for Respondent KC Mulligan's**

Jack G. Gresh,  
Elizabeth Fulton Morrison  
Hall Booth Smith, PC  
111 Coleman Boulevard  
Suite 301  
Mount Pleasant, SC 29464  
**Attorney for Respondent Carroll Management Group**

Copy:

The Honorable Bentley Price's Chambers  
100 Broad Street, Suite 432  
Charleston, SC 29401

South Carolina Court Administration  
1220 Senate Street, Suite 200  
Columbia, South Carolina 29201

**FORM 11**  
**LETTER ORDERING TRANSCRIPT FROM COURT REPORTER**

February 12, 2020

Denise Lauder  
300B California Avenue  
Moncks Corner, SC 29461

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FEB 20 2020  
SC Court of Appeals

RE: Gregory Muxlow, as Personal Representative of the Estate of Jennifer Dianne Muxlow, Respondent, v. Ruby Tuesday, KC Mulligan's, St. Ives, and Carroll Management Group, Appellant, Case No. 2019-CP-10-04193

Dear Ms. Lauder.

On January 10, 2020, the above case was tried before the Honorable Bentley D. Price, Circuit Court Judge, in Charleston County. My records indicate that you were the court reporter for this case.

I request that you provide me with a transcript of the proceedings. Please transcribe the entire record.

I agree to pay the per page charge for this transcript as provided by Rule 607, SCACR.

Sincerely,  
s/ Joshua T. Hawkins  
Joshua T. Hawkins  
1225 South Church Street  
Greenville, South Carolina 29605  
(864) 275-8142  
Attorney for Appellant

cc: Ms. Jenny Abbot Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

Elizabeth Fulton Morrison and Jack Gresh  
Hall Booth Smith, P.C.  
111 Coleman Boulevard  
Suite 301  
Mount Pleasant, SC 29464  
**Attorneys for Respondent Carroll Management Group**

Christopher Lizzi  
Lizzi Law Firm, PC  
2170 Ashley Phosphate Road, Suite 402  
North Charleston, SC 29406  
**Attorney for Respondent KC Mulligan's**

Catharine Griffin and Susan DuBose  
Baker Ravenel Bender  
P.O. Box 8057  
Columbia, SC 29202  
**Attorneys for Respondent Ruby Tuesday**

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FEB 20 2020

SC Court of Appeals

### Transcript Request Form

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at [transcripts@sccourts.org](mailto:transcripts@sccourts.org). Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to **any** party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

Requestor's Information			
<b>Full Name</b> <u>Joshua</u>	<b>Phone Number</b> <u>864-275-8142</u>	<b>Email Address</b> <u>josh@hjlsc.com</u>	
<b>Mailing Address</b> <u>1225 South Church Street</u>	<b>City</b> <u>Greenville</u>	<b>State</b> <u>SC</u>	<b>Zip Code</b> <u>29605</u>
Transcript Information			
<b>Docket Number</b> <u>2019-CP-10-04193</u>	<b>Case Caption</b> (i.e. State v. John Doe or Smith v. Smith) <u>Gregory Muxlow v. Ruby Tuesday, KC Mulligan's, St. Ives Atrium, and Carroll Management Group</u>		
<b>Date(s) of Proceeding</b> <u>January 10, 2020</u>	<b>Circuit</b> <input checked="" type="checkbox"/> <b>Family</b> <input type="checkbox"/>	<b>County</b> <u>Charleston</u>	
<b>Presiding Judge</b> <u>Bentley D. Price</u>	<b>Expedited</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<b>Court Reporter(s)</b> <u>Denise Lauder</u>	<b>Opposing Counsel</b> <u>Elizabeth Fulton Morrison, Jack Gresh; Christopher Lizzi; Catharine Griffin, Susan DuBose</u>		

**Requestor's Signature:** s/Joshua T. Hawkins

**Date:** February 12, 2020

*(Typed name will serve as signature)*

**Note:** If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

For Court Reporter Use Only			
<b>Full Name</b> _____	<b>Date Received</b> _____	<b>Email Address</b> _____	
<b>Notice of Estimate to Requestor Party</b> Date: _____ Number of Pages: _____ Estimated Amount _____			
<b>Mailing Address for Payment</b> _____	<b>City</b> _____	<b>State</b> _____	<b>Zip Code</b> _____

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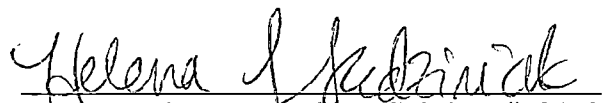
Ruby Tuesday, KC Mulligan's St. Ives and Carroll Management  
.....Respondents.

Appellate Case No.: 2020-000129

**PROOF OF SERVICE**

I certify that I served a Motion Requesting Permission to Request the Transcript Outside of Filing Deadlines, by depositing copies of it in the United States Mail, postage prepaid, on February 18, 2020, addressed to its attorneys of record Catharine Griffin at P.O. Box 8057, Columbia, SC 29202; Christopher Lizzi at 2170 Ashley Phosphate Road, Suite 402, North Charleston, SC 29406; and Jack Gresh and Elizabeth Fulton Morrison at 111 Coleman Boulevard, Suite 301, Mount Pleasant, SC 29464.

February 18, 2020

  
Joshua T. Hawkins, S.C. Bar #78470  
Helena L. Jedziniak, S.C. Bar #100825  
Hawkins & Jedziniak, LLC  
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josh@hjlsc.com  
helena@hjlsc.com  
**Attorneys for Appellants**

Copies:

Catharine Griffin  
Baker Ravenel Bender  
P.O. Box 8057  
Columbia, SC 29202  
**Attorney for Respondent Ruby Tuesday**

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monica@hjlsc.com

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SC Court of Appeals

February 18, 2020

Ms. Jenny Abbot Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

Re: *Gregory Muxlow v. Ruby Tuesday, KC Mulligan's, St. Ives and Carroll Management Group*  
Appellate Case No. 2020-000129

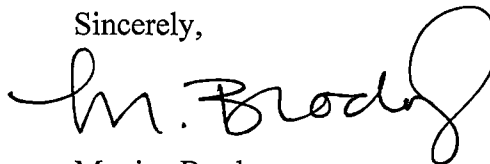
Dear Ms. Kitchings:

Please find enclosed for filing a motion for permission to request the transcript outside of the filing deadline in the case referenced above. Also please find enclosed the following:

- ✓ six (6) copies of the motion as required by the rules;
- ✓ a copy of the letter to the Court Reporter requesting the transcript;
- ✓ proof of service of the motion on the respondents; and
- ✓ the filing fee of \$50.00.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,



Monica Brody  
Paralegal

Enclosures

Copies:

Catharine Griffin  
Baker Ravenel Bender  
P.O. Box 8057

Columbia, SC 29202  
**Attorney for Respondent Ruby Tuesday**

Christopher Lizzi  
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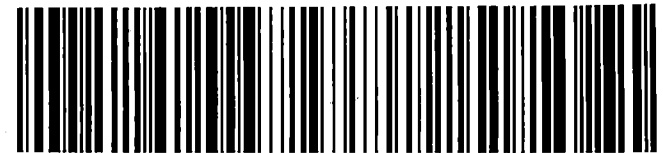
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