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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas  
Doyet A. Early, Circuit Court Judge

**RECEIVED**  
MAR 17 2020  
SC Court of Appeals

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

Jefferson Davis, Jr. .... Appellant,

v.

Ellen Weaver, Chad Connelly, Oran P. Smith, Neil J. Mellen, Howard S. Rich, Rick Reams, 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 Dept. of Revenue, South Carolina Dept. 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

Respondents.

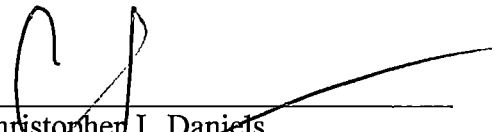
Consultants USA & John Doe(s) 1-40 .....

**MOTION FOR EXTENSION OF TIME TO FILE THE FINAL BRIEF OF  
RESPONDENT EDCHOICE, INC., F/K/A AND INCORRECTLY IDENTIFIED AS  
FRIEDMAN FOUNDATION FOR EDUCATIONAL CHOICE INC.**

Pursuant to Rules 208(a)(2) and 240 of the South Carolina Appellate Court Rules, the Respondent, EdChoice, Inc. respectively requests an extension of time to file its Final Brief. This request is made pursuant to the unusual procedure and circumstances outlined in the Motion for Extension of Time filed by Respondents Cato Institute and Howard S. Rich and as outlined

in correspondence to the Honorable Jenny Kitchings from Jennifer F. Nutter on behalf of Institute of Management Consultants USA dated March 16, 2020. EdChoice incorporates all the arguments set forth in the Motion of Cato Institute and correspondence of Ms. Nutter in support of this motion.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By:   
Christopher J. Daniels  
SC Bar No. 1538  
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And

Joseph C. Chapelle  
Barnes & Thornburg LLP  
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Indianapolis, Indiana 46204

Attorney for Respondent EdChoice Inc.  
formerly known as and incorrectly identified  
as Friedman Foundation for Educational  
Choice, Inc.

Columbia, South Carolina

3 / 17, 2020

CERTIFICATE OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for EdChoice, Inc. f/ka/ and Incorrectly Identified as 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):

**RECEIVED**

**MAR 17 2020**

**SC Court of Appeals**

Pleadings:

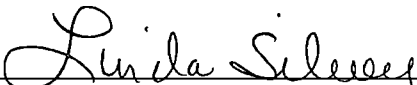
Motion for Extension of Time to File the Final Brief of Respondent EdChoice, Inc. f/k/a and Incorrectly Identified as Friedman Foundation for Educational Choice, Inc.

Counsel Served:

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

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

<p>Jennifer F. Nutter, Esquire Hood Law Firm, LLC 172 Meeting St. P.O. Box 1508 Charleston, SC 29402</p> <p><b>Attorney for Institute of Management Consultants USA</b></p>	<p>Mark V. Gende, Esquire Brandon R. Gottschall, Esquire Sweeny, Wingate and Barrow, P.A. P.O. Box 12129 Columbia, SC 29211</p> <p><b>Attorney for South Carolinians for Responsible Government and Philip Cease</b></p>
<p>Benjamin Mustian, Esquire BPM Law Firm, LLC 141 Pelham Dr., Suite F #108 Columbia, SC 29209</p> <p><b>Attorney for First Impressions Inc. d/b/a Richard Quinn &amp; Associates</b></p>	<p>Jason P. Luther. Esquire South Carolina Department of Revenue P.O. Box 12265 Columbia, SC 29211</p> <p><b>Attorney for SC Dept. of Revenue</b></p>
<p>Alan Jones, Esquire Turner Padgett Graham &amp; Laney, P.A. P.O. Box 1473 Columbia, SC 29202</p> <p><b>Attorney for Tony Denny</b></p>	<p>James Goldin, Esquire Nelson Mullins Riley &amp; Scarborough LLP P.O. Box 11070 Columbia, SC 29211</p> <p><b>Attorney for Access Opportunity South Carolina</b></p>
<p>Chad Connelly – <b>Via US Mail Only</b> 107 Connelly Dr. Prosperity, SC 29217</p> <p><b>Self-Represented Respondent</b></p>	<p>John McCormick – <b>Via US Mail Only</b> 12 Vaughns Mill court Simpsonville, SC 29681</p> <p><b>Self-Represented Respondent</b></p>
<p>Nate Leupp – <b>Via US Mail Only</b> 114 Oak Dr. Greer, SC 29650</p> <p><b>Self-Represented Respondent</b></p>	

  
 \_\_\_\_\_  
 Linda Silvey  
 Administrative Assistant

March 17, 2020



**NELSON MULLINS**

NELSON MULLINS RILEY & SCARBOROUGH LLP  
ATTORNEYS AND COUNSELORS AT LAW

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March 17, 2020

**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 Motion for Extension of Time to File the Final Brief of Respondent EdChoice, Inc. f/k/a and Incorrectly Identified as Friedman Foundation for Educational Choice, Inc. along with our check in the amount of \$50 for the filing fee. Please file the original and return a clocked in copy to us via our courier.

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

**RECEIVED**

MAR 17 2020

**SC Court of Appeals**

Very truly yours,

Christopher J. Daniels

CJD:ljs

Attachments

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

March 17, 2020

Page 2

Ross C. DuRant, Esquire (via U.S. mail and electronic mail)  
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Skyler C. Wilson, Esquire (via U.S. mail and electronic mail)  
Tierney Dukes, Esquire (via U.S. mail and electronic mail)  
Kenneth A. Davis, Esquire (via U.S. mail and electronic mail)  
M. Dawes Cooke, Jr., Esquire (via U.S. mail and electronic mail)  
Justin Novak, Esquire (via U.S. mail and electronic mail)  
Geoffrey K. Chambers, Esquire (via U.S. mail and electronic mail)  
William H. Davidson, II, Esquire (via U.S. mail and electronic mail)  
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Joseph M. McCullogh, Esquire (via U.S. mail and electronic mail)  
Kathy R. Schillaci, Esquire (via U.S. mail and electronic mail)  
Jennifer F. Nutter, Esquire (via U.S. mail and electronic mail)  
Miles Coleman, Esquire (via U.S. mail and electronic mail)  
Benjamin Mustian, Esquire (via U.S. mail and electronic mail)  
Jason P. Luther, Esquire (via U.S. mail and electronic mail)  
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John McCormick (via U.S. mail only)  
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