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**MAY 26 2020**

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

**S.C. SUPREME COURT**

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APPEAL FROM ADMINISTRATIVE LAW COURT  
Ralph King Anderson, III, Administrative Law Judge  
Case No. 13-ALJ-07-0056-CC

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Appellate Case No. 2018-000137

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Preservation Society of Charleston, Historic Charleston Foundation, Historic Ansonborough Neighborhood Association, South Carolina Coastal Conservation League, Charlestowne Neighborhood Association, Charleston Chapter of the Surfrider Foundation, and Charleston Communities for Cruise Control..... Petitioners,

vs.

South Carolina State Ports Authority and South Carolina Department of Health and Environmental Control..... Respondents.

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**MOTION FOR EXTENSION OF TIME TO FILE  
RETURN TO PETITION FOR REHEARING**

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TO: ALL PARTIES AND THE SUPREME COURT:

PLEASE TAKE NOTICE that the above-named Petitioners hereby move the Supreme Court for an order extending the time for filing their return to the Respondent South Carolina State Ports Authority and South Carolina Department of Health and Environmental Control's petitions for rehearing in the above-captioned matter. The return is due on May 27, 2020, and the Petitioners seek a thirty (30) day extension such that their return would be due June 26, 2020. This is

Petitioners first extension request. In support of this request, Petitioners submit the following:

The undersigned and co-counsel Mr. Holman are the two attorneys of record preparing the return to the Respondents' petitions for rehearing, and both counsel have been experiencing reduced availability due to the COVID-19 pandemic while existing obligations in their respective practices have continued unabated. Co-counsel are each the lead attorney in other federal cases – one challenging the federal government's authorization of seismic testing for oil and gas in the Atlantic and the other challenging national-level environmental regulations – that are placing significant time demands on counsel during this pandemic, which has drastically altered their ability to allocate the necessary time to drafting the return in this case.

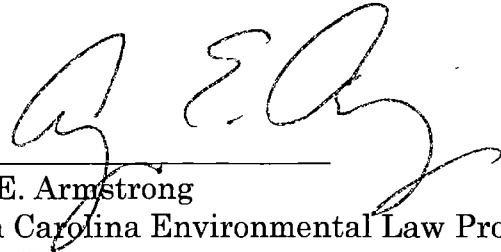
Mr. Holman has two children under the age of 5 at home full time since March, while he and his spouse work "full time" as attorneys. Mr. Holman is also lead counsel in another matter pending before this Court (*SCCCL et al. v. Dominion; SCSBA v. Dominion*; Appellate Case No. 2018-001156), in which the opposing party, represented by the firm that represents the State Ports Authority in this matter, recently filed a motion to dismiss the appeal six months after oral argument. Mr. Holman is thus responding to two separate motions in this honorable Court at the same time in addition to other duties, which include ongoing active litigation in the Public Service Commission and the aforementioned national rulemaking challenges in several federal courts.

The undersigned has similarly faced challenges stemming from the pandemic. Specifically, she has had to devote time to developing and amending internal policies and protocols for telecommuting, sick leave and extended FLMA leave; assessing the firm's financial sustainability with the Finance Committee and Board; and developing and implementing plans to ensure financial viability during this time of uncertainty, including seeking loan assistance under the recent federal legislation, when nearly all the organization's revenue is generated through grants and donations. Maintaining her existing staff and offices has become the priority, which has been further complicated when one of her employees, who was formerly counsel of record in this case, resigned in March leaving the firm well under capacity to meet the existing client obligations.

Counsel understand the Court's desire to expeditiously consider the issues raised in the Respondents' petitions, yet find themselves unable to adequately and thoroughly prepare returns to the petitions for rehearing, for which Respondents received two 30-day extensions. For these reasons, the Petitioners request that this Court grant an extension for filing their returns to the Respondents petitions for rehearing for 30 days such that the returns are due June 26, 2020.

Counsel for the Petitioners has consulted with counsel for Respondents, both of whom consent to this request.

Respectfully submitted,



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May 21, 2020