

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Daniel D. Hall, Circuit Court Judge

Case No. 2018-CP-46-1592

RECEIVED
Jun 09 2020
SC Court of Appeals

Karen K. Baber Appellant,

v.

Summit Funding, Inc.; Appraisal Innovations, LLC; Brian L. Blue; The Gillen Law Firm, P.A.; Michael F. Gillen; Allen Tate Co., Inc.; Colleen Coesens; Jonathan Garvey; Robert Ouzts; Connie Delaney; and Gloria Long-Robinson,

of whom

Summit Funding, Inc.; Allen Tate Co., Inc.; Colleen Coesens; Jonathan Garvey; Robert Ouzts; and Connie Delaney are the..... Respondents.

RETURN IN OPPOSITION TO MOTION TO STAY ALL DEADLINES

Thomas L. Ogburn III
Poyner Spruill LLP
301 South College Street, Suite 2900
Charlotte, North Carolina 28202
(704) 342-5250
Attorneys for Respondents Allen Tate Co., Inc.;
Colleen Coesens; Jonathan Garvey; Robert Ouzts;
and Connie Delaney

In opposing Appellant Karen K. Baber's request to stay all deadlines, including the deadline to serve the Record on Appeal, Respondents Allen Tate Co., Inc., Colleen Coesens, Jonathan Garvey, Robert Ouzts, and Connie Delaney (collectively, the "Tate Respondents") state the following reasons for their opposition:

1. While the Tate Respondents have no desire to take advantage of Mr. Bowen's serious health conditions and hope that he recovers quickly, Appellant is represented in this appeal by both Mr. Bowen and Mr. Coleman.

2. Appellant's next obligation is to compile the Record on Appeal pursuant to Rule 2010, SCACR using the materials already identified by the parties in the Designations filed before February 20, 2020. This will allow all of the parties to file their Final Briefs, which will only require that the parties change the citations in their initial briefs to reference the corresponding pages in the Record on Appeal.

3. All parties' initial briefs and designation of matters to include in the Record on Appeal were filed by February 20, 2020 (over 100 days ago). Appellant has had the initial 30 days allowed by Rule 210, SCACR, an additional 20 days allowed by the Supreme Court Order dated March 20, 2020, and two additional 30 day extensions to compile the Record on Appeal. By asking for a stay of all deadlines, Appellants now seek an additional sixty (60) days to compile the Record on Appeal.

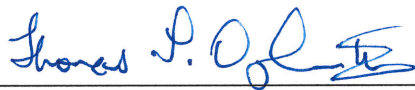
4. The Tate Respondents respectfully object to the request to stay deadlines for an additional sixty (60) days. It should not take that long for Mr. Coleman to compile the documents that have already been identified by the parties and produce a Record on Appeal in accordance with Rule 210, SCACR.

5. Should the court determine that a stay is warranted, the Tate Respondents respectfully request that the deadlines be stayed only so long as should be reasonably necessary for Mr. Coleman to compile the Record on Appeal.

CONCLUSION

Based on the foregoing, the Tate Respondents respectfully request that the Court deny the motion to stay all deadlines. Alternatively, the Tate Respondents respectfully request that any stay be only so long as should be reasonably necessary for Mr. Coleman to compile the Record on Appeal.

This the 9th day of June, 2020.



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Karen K. BaberAppellant,

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Summit Funding, Inc.; Appraisal Innovations, LLC; Brian L. Blue; The Gillen Law Firm, P.A.; Michael F. Gillen; Allen Tate Co., Inc.; Colleen Coesens; Jonathan Garvey; Robert Ouzts; Connie Delaney; and Gloria Long-Robinson,

of whom

Summit Funding, Inc.; Allen Tate Co., Inc.; Colleen Coesens; Jonathan Garvey; Robert Ouzts; and Connie Delaney are the..... Respondents.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that true copies of the Return in Opposition to Motion to Stay all Deadlines in the above-referenced case have been served upon opposing counsel by depositing in the United States mail addressed to the parties below on this 9th day of June, 2020.

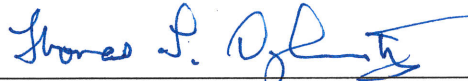
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BRIAN L. BLUE

This the 9th day of June, 2020.



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and Connie Delaney

June 9, 2020

VIA E-MAIL (ctappfilings@sccourts.org)

The Honorable Jenny Abbott Kitchings
Clerk, The South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: Karen K. Baber v. Summit Funding, Inc., et al.
Appellate Case No.: 2019-001440
York County Case No.: 2018-CP-46-01592

RECEIVED

Jun 09 2020

SC Court of Appeals

Dear Ms. Kitchings:

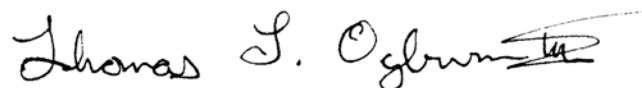
Enclosed for e-filing is our *Return in Opposition to Motion to Stay All Deadlines* regarding the above-referenced matter.

By copy of this letter, we are serving all counsel of record a copy of the same.

We appreciate your assistance in this matter. If you have any questions, please feel free to contact our office.

Sincerely,

POYNER SPRUILL LLP



Thomas L. Ogburn, III

TLO/avd
Enclosure

cc: Creighton B. Coleman (via e-mail)
Glenn E. Bowens (via e-mail)
Susan E. Driscoll (via e-mail)
Russell M. Racine (via e-mail)