

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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JUN 11 2020
SC Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Daniel D. Hall, Circuit Court Judge

Appellate Case No. 2019-001440

Karen K. BaberAppellant,

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

Susan E. Driscoll, S.C. Bar No. 71447
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Attorney for Summit Funding, Inc

Pursuant to Rule 240(e), SCACR, Respondent Summit Funding, Inc. (Summit) hereby submits the within response to the motion for extension of time filed by Appellant (Response).

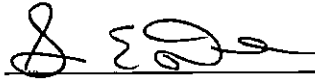
While Summit has been and prefers to continue to be flexible and accommodating of Appellant as to time limits, this is Appellant's third request for an extension of time based in part upon Mr. Bowen's health. As set forth in the Return filed by the Tate Respondents, Appellant has had the Designations filed by all parties since February 20, 2020. Thanks to prior extensions granted by this Court and the Supreme Court Order related to COVID-19, Appellant has had more than one hundred days to compile the Record on Appeal.

Summit respectfully objects to the request to stay deadlines for an additional sixty (60) days. It should not take that long for Mr. Coleman, who is an attorney of record for Appellant, to compile the documents that have already been identified by the parties and produce a Record on Appeal in accordance with Rule 210, SCACR. If the Court is inclined to grant the Motion, Summit requests respectfully that it be for a period shorter than the requested sixty (60) days and be the final extension granted to Appellant. If Appellant is not able to meet that deadline, then the appeal should be dismissed for failure to prosecute.

WHEREFORE, Respondent asks that the Motion be denied, or, in the alternative that it be a short and final extension granted to Appellant, with dismissal of the appeal upon a failure to meet the deadline set forth therein.

Respectfully submitted,

Date: 6/9/2020



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Attorneys for Respondent

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vs.

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Michael F. Gillen; Allen Tate Co., Inc.; Colleen Coesens; Jonathan Garvey; Robert Ouzts;
Connie Delaney and Gloria Long-Robinson, Defendants,

Of which Summit Funding, Inc.; Allen Tate Co., Inc.; Colleen Coesens; Jonathan Garvey, Robert
Ouzts; Connie Delaney; and Gloria Long-Robinson are the Respondents.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date indicated below she served the
following counsel with a copy of the *Return in Opposition to Motion to Stay all Deadlines* by
mailing a copy of the same via First Class, U.S. Mail to the addresses shown below.

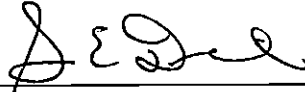
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Respectfully submitted,



Date: 06/09/2020

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June 9, 2020

Honorable Jenny Abbot Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, S.C. 29201

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Re: Karen K. Baber v. Summit Funding, Inc., et al.
Appellate Case No. 2019-001440

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the Return in Opposition to Motion to Stay all Deadlines and a Certificate of Service in the above captioned matter. Please return a filed copy to me in the enclosed envelope.

With kindest regards, I remain

Respectfully,

DRISCOLL SHEEDY, P.A.


Susan E. Driscoll

cc: Scott Bruggemann, Esq.
Thomas L. Ogburn, III, Esq.
Creighton B. Coleman, Esq.
Glenn E. Bowens, Esq.
Russell Racine, Esq.

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