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**Jul 15 2020**

**SC Court of Appeals**

**PTA-FLA, Inc.**

*P.O. Box 8839  
Columbia, SC 29202  
(803) 466-6488*

July 15, 2020

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211  
VIA Email to [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

RE: PTA-FLA, Inc., Appellant-Respondent, v. TW Telecom Holdings, Inc., a Delaware corporation, and DOES 1-10, inclusive, Respondent-Appellant,  
Appellate Case No. 2020-000218 Request for Extension of Time

Dear Ms. Kitchings:

I, Joshua E. Austin, Attorney for Appellant PTA-FLA, Inc am writing to request an extension of time to file two briefs currently due before the court.

This case includes two appeals. In PTA-FLA's appeal, Respondent-Appellant TW Telecom Holdings, Inc. ("TWT") filed its Initial Respondent's Brief on July 10, 2020. I received it in the mail a few days later and I understand the current due date for Appellant-Respondent's Reply Brief to be July 20, 2020.

Regarding TWT's cross-appeal, Respondent-Appellant TWT filed its Initial Appellant's Brief on June 22, which I received in the mail a few days later. I understand the current due date for PTA-FLA's Initial Respondent's Brief to be July 22, 2020.

This requires an Initial Respondents Brief and an Appellant's Reply brief be filed next week. I am also actively involved in a large bankruptcy case in the Southern District of Texas, *In re Whiting Petroleum Corporation, et al*, Case No. 20-32021 (DRJ) (Bankr. S.D. Texas). That case has a current Confirmation Hearing Date of August 10, 2020 with objections to plan confirmation due July 30, 2020. I am actively involved with discovery with the Debtors counsel and have had thousands of pages of documents produced in the last week with the anticipation of even more documents being produced this week and next week. We are also in the process of scheduling multiple depositions ahead of the hearing. There is significant and substantial work to be done in preparation of the plan objection deadline on July 30<sup>th</sup> and the Confirmation Hearing date on August 10<sup>th</sup>.

I respectfully request an extension of time to file PTA-FLA's Reply Brief for the PTA-FLA's Appeal and PTA-FLA's Initial Respondent's Brief to the TWT Cross Appeal. I respectfully request 30 days from the earlier due date (July 20,

2020) to file both briefs which would allow for PTA-FLA to file both on or before **August 19, 2020**.

I have conferred with TWT's counsel and they have no objection to my requested extension of time. Further, this request is the first request on either brief, and will not prejudice any party.

Pursuant to the South Carolina Supreme Court's Order dated March 20, 2020 entitled Operation of the Appellate Courts During the Coronavirus Emergency, Appellant I have not included any motion fee as this is only a request for an extension of time.

I further state that I have served a copy of this letter on Respondent's attorneys at the electronic mail addresses noted below on this same 15<sup>th</sup> of July, 2020.

Thank you for your time and consideration.

Respectfully submitted,

s/Joshua E. Austin  
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Attorneys for Respondent