

AUG 19 2020

SC Court of Appeals

**From:** Widener, Robert <RWidener@burr.com>  
**Sent:** Wednesday, August 19, 2020 10:12 AM  
**To:** Brink Hinson; Burns, LaToyla; kelley@salleylawfirm.com; Bill Padget; mermiges@gmail.com  
**Cc:** Kathy J. Thorner; debbie@salleylawfirm.com; Noelle Manganello; Shuler, Ann  
**Subject:** Re: SC Court of Appeals: David Scheer v. Southern Myrtle Inpatient Services, LLC (2019-001665)

**Follow Up Flag:** Follow up  
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Ms. Burns:

Based on Mr. Hinson's email (below), our Return to the Respondent's Motion would be due next Friday, August 28, 2020. I note this date is also the current due date for serving the Record on Appeal under Rule 210(a), SCACR -- we served and filed our Initial Reply Brief on July 29, 2020.

Given the pendency of Mr. Hinson's motion to file another "initial" brief, it would appear necessary to extend the due date for serving the Record on Appeal to 30 days after this Court denies the motion, or 30 days after the service and filing of the initial sur-reply brief if the Court grants the motion to file a sur-reply brief. Please advise.

Thank you,  
 Robert L. Widener  
 Counsel for Appellant



AL • DE • FL • GA  
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**From:** Brink Hinson <bhinson@FinkelLaw.com>  
**Sent:** Wednesday, August 19, 2020 9:59:02 AM  
**To:** Widener, Robert; Burns, LaToyla; kelley@salleylawfirm.com; Bill Padget; mermiges@gmail.com  
**Cc:** Kathy J. Thorner; debbie@salleylawfirm.com; Noelle Manganello; Shuler, Ann  
**Subject:** RE: SC Court of Appeals: David Scheer v. Southern Myrtle Inpatient Services, LLC (2019-001665)

[EXTERNAL EMAIL]

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Ms. Burns,

Mr. Widner is correct. Due to an unfortunate oversight in my office, I believe the motion for a sur-reply initially went unserved. This error was corrected, and the motion was served in yesterday's mail, a copy of which is attached hereto.

Sincerely,  
Brink Hinson

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**From:** Widener, Robert <RWidener@burr.com>  
**Sent:** Wednesday, August 19, 2020 9:52 AM  
**To:** Burns, LaToyla <lburns@sccourts.org>; Brink Hinson <bhinson@FinkelLaw.com>; kelley@salleylawfirm.com; Bill Padget <bpadget@FinkelLaw.com>; mermiges@gmail.com  
**Cc:** Kathy J. Thorner <kthorner@FinkelLaw.com>; debbie@salleylawfirm.com; Noelle Manganello <NManganello@FinkelLaw.com>; Shuler, Ann <AShuler@burr.com>  
**Subject:** Re: SC Court of Appeals: David Scheer v. Southern Myrtle Inpatient Services, LLC (2019-001665)

Ms. Burns:

We have not received the Respondent's Motion to File a Sur-Reply. Your email of August 18 was the first notice of the motion that we received.

It appears the Respondent filed the Motion on August 10, which would make our Return due on August 20 (tomorrow), if the Respondent served the motion the same day that he filed it with the Court.

The Respondent apparently filed the Motion by email, fax, or hand-delivery, since this Court received the Motion on the same date that the Motion is dated (August 10). We did not receive the Motion by fax, email, hand-delivery or otherwise.

Please confirm that our time to serve and file a Return to the Motion does not commence until the Respondent actually serves the Motion upon us.

Thank you,  
Robert L. Widener  
Counsel for Appellant



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**From:** Burns, LaToyla <[lburns@sccourts.org](mailto:lburns@sccourts.org)>  
**Sent:** Tuesday, August 18, 2020 3:11:53 PM  
**To:** [bhinson@finkellaw.com](mailto:bhinson@finkellaw.com); [kelly@salleylawfirm.com](mailto:kelly@salleylawfirm.com); [bpadget@finkellaw.com](mailto:bpadget@finkellaw.com); [mermiges@gmail.com](mailto:mermiges@gmail.com); Widener, Robert  
**Cc:** [kthorner@finkellaw.com](mailto:kthorner@finkellaw.com); [debbie@salleylawfirm.com](mailto:debbie@salleylawfirm.com); [nmanganello@finkellaw.com](mailto:nmanganello@finkellaw.com); Shuler, Ann  
**Subject:** SC Court of Appeals: David Scheer v. Southern Myrtle Inpatient Services, LLC (2019-001665)

[EXTERNAL EMAIL]

Good Afternoon,

Attached in this email is correspondence from the Court.

Respectfully,

*LaToyla Burns*

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