

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

RECEIVED
OCT 20 2020
SC Court of Appeals

Appellate Case No. 2020-000407
Case No. 2017-CP-26-03008

Douglas Kelsey.....Plaintiff,

v.

House of Blues Myrtle Beach Restaurant Corporation;
HOB Entertainment, Inc.; and Travis Scott Wagoner.....Defendants.

AND

House of Blues Myrtle Beach Restaurant CorporationThird-Party Plaintiff,

v.

Throttlefest, LLC; American Outlaw Spirits Incorporated;
Full Throttle LLC; and Full Throttle Sloon Shine, LLC.....Third-Party Defendants.

of which House of Blues Myrtle Beach Restaurant Corporation is the Appellant and Throttlefest, LLC, American Outlaw Spirits Incorporated, Full Throttle LLC, and Full Throttle Sloon Shine, LLC are the Respondents.

**APPELLANT’S FIRST MOTION FOR EXTENSION
OF TIME TO FILE INITIAL BRIEFS**


Pursuant to Rule 240 of the South Carolina Appellate Court Rules, Appellant House of Blues Myrtle Beach Restaurant Corporation, respectfully request a thirty-day (30-day) extension of the deadline for serving the Initial Briefs of Appellant.

As grounds for the motion, Appellant's counsel cites their present workload. Appellant's counsel has been actively working on preparation of its Initial Briefs but needs additional time to finalize them. This is the Appellant's first request for an extension to file the Initial Briefs, as its past requests were mooted by the prior pendency of a motion to dismiss and the subsequent consolidation of the appeals.

The Initial Briefs from the appeals of both Judge Culbertson's Order and Judge McKinnon's Order are due on October 19, 2020. With an extension, the deadline for service of the Initial Briefs of Respondents will be **November 18, 2020**.

Respectfully submitted,
COLLINS & LACY, P.C.

By:



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ATTORNEYS FOR APPELLANT HOUSE OF
BLUES MYRTLE BEACH RESTAURANT
CORPORATION

**APPELLANT'S FIRST MOTION FOR
EXTENSION OF TIME TO FILE INITIAL
BRIEFS**

Columbia, South Carolina
October 19, 2020

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of which House of Blues Myrtle Beach Restaurant Corporation is the Appellant and Throttlefest, LLC, American Outlaw Spirits Incorporated, Full Throttle LLC, and Full Throttle Sloon Shine, LLC are the Respondents.

CERTIFICATE OF SERVICE

I certify that I have served APPELLANT’S FIRST MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEFS by mailing a copy of same in the United States mail, with sufficient postage affixed thereto on this 19 day of October, 2020, to the following:

COUNSEL SERVED:

M. Dawes Cooke, Jr., Esquire
Jeffrey M. Bogdan, Esquire
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P. O. Drawer H
Charleston, SC 29402-0197
Counsel for Respondent Throttlefest, LLC

Brian C. Duffy, Esquire
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96 Broad Street
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*Counsel for Respondents American Outlaw
Spirits Incorporated; Full Throttle, L.L.C.;
and Full Throttle Sloon Shine, LLC*

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ATTORNEYS FOR APPELLANT HOUSE OF
BLUES MYRTLE BEACH RESTAURANT
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CERTIFICATE OF SERVICE

Columbia, South Carolina
October 19, 2020



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October 19, 2020

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VIA U.S. MAIL AND EMAIL

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
ctappfilings@sccourts.org

Re: *Douglas Kelsey v. House of Blues Myrtle Beach-Restaurant Corporation, -HOB Entertainment, Inc., and Travis Scott Wagoner; House of Blues Myrtle Beach Restaurant Corporation v. Throttlefest LLC, American Outlaw Spirits Incorporated, Full Throttle, L.L.C., and Full Throttle Sloon Shine, LLC*
Appellate Case No. 2020-000407
Claim No. 188372477-001-GL
C&L File No. 001133-00111

Dear Ms. Kitchings:

Please find enclosed for filing the unbound original and one (1) copy of *Appellant's Motion for an Extension of Time to file Initial Briefs* in the above referenced matter. Please file the original and return a clocked copy of same in an envelope provided for your convenience.

Pursuant to the Supreme Court's Amended Order "re: Operation of the Appellate Courts During the Coronavirus Emergency" (2020-05-29-02, Appellate Case No. 2020-000447), we have not included any additional copies nor a filing fee for this Motion. If any additional copies or the filing fee are required, please let us know.

By copy of this letter and enclosure, we are serving same on all parties.

Thank you for your time and attention. Should you have any questions or concerns, please do not hesitate to contact us.

Respectfully,

Christian Stegmaier

CS/net
Encl.

The Honorable Jenny A. Kitchings

October 19, 2020

Page 2

cc (via U.S. Mail and email):

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