



# ROTHSTEIN LAW FIRM, PA

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November 9, 2020

Hon. Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

**RECEIVED**  
NOV 12 2020  
SC Court of Appeals

Re: Sean Eric Roach v. Lee Yarborough,  
Appellate Case No. 2020-001182

Dear Ms. Kitchings:

I represent Respondent, Sean Eric Roach, in the above-referenced case. I received a copy of the letter dated November 2, 2020, from Appellant's counsel, Wesley D. Few, requesting a 30-day extension to serve and file Appellant's initial brief and designation of matter to be included in the record on appeal.

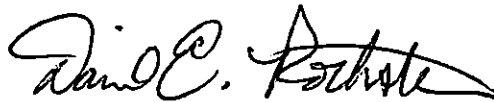
I am writing to object to this request for several reasons. First, the request was not in the form of a Motion for Extension of Time under Rule 240(a), SCACR. Second, Mr. Few omits the fact that his office previously contacted me to request a 15-day extension, to which I objected at the insistence of my client, because Appellant's initial complaint for a restraining order has negatively impacted my client's ability to find employment. Third, Mr. Few does not indicate any grounds for his request, much less has he shown any type of "good cause" for the requested extension.

Finally, and perhaps most importantly, moving the deadline for the initial brief to December 7, 2020, as Mr. Few has requested, would essentially render the appeal moot. The original restraining order from the Magistrate's Court expressly set an expiration date of March 9, 2021, one year after its issuance. Appellant has not sought any type of supersedeas, stay of the circuit court's order, or expedited review of this matter (nor did Appellant even request expedited preparation of the transcript of the appeal hearing in circuit court). Under the requested extension to move the deadline for service of Appellant's brief to December 7, 2020, the final briefs in this case would not even be due until March 9, 2021, which is the exact same date that the Magistrate Court's restraining order would have expired by its own terms. In other words, the appeal (even if successful) could not have any impact whatsoever on the effect of the underlying restraining order, which formed the genesis of this case and the appeal.

Appellant's continued pursuit of this appeal has nothing to do with the merits of the underlying restraining order, but is merely a tactic for Appellant and her company to delay resolution of this matter in an attempt to gain an advantage in the parallel case of Propel PEO, Inc. et al. v. Sean Eric Roach et al., Civil Action No. 6:19-cv-03546-HMH, which is pending in the United States District Court for the District of South Carolina, Greenville Division, and involves the same parties and arises out of the same underlying alleged conduct and events.

----- Respondent is certainly willing to address these matters in additional detail if the Court requires a more formal motion to dismiss the appeal. Because Mr. Few's request was submitted by letter, however, I thought would be appropriate to raise my objections by letter as well. Please let me know if you have any questions or if I do need to file a motion to dismiss the appeal. Thank you in advance for your consideration of this matter.

Sincerely yours,



David E. Rothstein

cc: Wesley D. Few, Esq. (via email only)

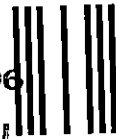


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