

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

Nov 18 2020

SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
The Honorable Marvin H. Dukes, III, Master in Equity

Case No. 2014-CP-07-0052
Appellate Case No. 2019-001270

Lady Beaufort, LLC & Tideland Realty, Inc.,.....Appellants,

v.

Hird Island Investments, Inc., Sherwood N. Fender, Addison D. Fender, Martha B. Fender,
William B. Bowen, Lady Kemmerlin, LLC, Brickyard Holdings, Inc., and A&K Holding Co.,
LLC, Defendants,

AND

William M. Bowen, Third-Party Plaintiff,

v.

James S. Kerr and Matt Trumps, Third-Party Defendants,

Of Which Hird Island Investments, Inc. and Sherwood N. Fender are the Respondents.

CONSENT MOTION TO FILE OUT OF TIME AND
FOR AN EXTENSION OF TIME

Appellants Lady Beaufort and Tideland Realty, Inc., with the consent of Respondents
Hird Island Investments and Sherwood Fender, respectfully move for leave to serve and file their
response in opposition to the Respondents’ Motion to Dismiss Appeal in this matter out of time
and for an order granting an extension of time. The grounds for this motion are as follows:

Respondents served their Motion to Dismiss Appeal on November 6, 2020. Respondents received the Motion in counsel's office on November 10, 2020. Appellants' response was due to be served on or before November 16, 2020 but, due to an administrative oversight and counsel's trial schedule, was incorrectly calendared and was not served on that date.

Appellants, with Respondents' consent, request leave to serve and file their response in this matter out of time and for an order granting Appellants an extension of time to serve and file their response, with service to occur no later than November 27, 2020, and subsequent deadlines to run from that date pursuant to Rules 210 and 211 of the South Carolina Rules of Appellate Procedure. This request is made in good faith and not for the purpose of delay or inconvenience. No request for any extension has been made by Appellants prior to this motion.

Respectfully Submitted:

EPTING & RANNIK, LLC

This 18th day of November, 2020
Charleston, South Carolina

/s/ Jaan Rannik
Jaan G. Rannik
46A State Street,
Charleston, SC 29401
Phone: 843-377-1871
Fax: 843-377-1310
jgr@epting-law.com

ATTORNEY FOR APPELLANTS

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

Nov 18 2020

SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
The Honorable Marvin H. Dukes, III, Master in Equity

Case No. 2014-CP-07-0052
Appellate Case No. 2019-001270

Lady Beaufort, LLC & Tideland Realty, Inc.,.....*Appellants,*

v.

Hird Island Investments, Inc., Sherwood N. Fender, Addison D. Fender, Martha B. Fender,
William B. Bowen, Lady Kemmerlin, LLC, Brickyard Holdings, Inc., and A&K Holding Co.,
LLC, Defendants,

AND

William M. Bowen, Third-Party Plaintiff,

v.

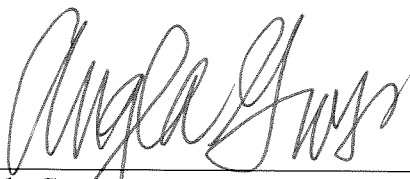
James S. Kerr and Matt Trumps, Third-Party Defendants,

Of Which Hird Island Investments, Inc. and Sherwood N. Fender are the Respondents.

PROOF OF SERVICE

I certify that I have served Appellants' Motion to File Out of Time And For An Extension
Of Time on November 18, 2020, addressed to Respondents' attorney of record, **H. Fred Kuhn,
Jr., Esquire, at fred@mossandkuhn.com**. A copy of the e-mail is attached to this Proof of
Service as Exhibit A.

[signature on following page]

By 
Angela Gross
Legal Assistant to Jaan G. Rannik, Esq.
EPTING & RANNIK, LLC
46A State Street, Charleston, SC 29401

Attorneys for Appellants

Angela Gross

From: Angela Gross
Sent: Wednesday, November 18, 2020 11:32 AM
To: Fred Kuhn; William Bowen
Cc: Jaan Rannik; Sue Radford
Subject: Lady Beaufort / 2019-001270
Attachments: 2020 11 18 - Motion to File Out of Time.pdf

RECEIVED
Nov 18 2020
SC Court of Appeals

Fred,

Attached for service please find Appellants' Motion to File Out of Time and For an Extension of Time in the above-referenced appeal which is being file through the South Carolina Court of Appeals' AIS e-filing system on today's date.

Angela

Angela Gross
Legal Assistant to Andrew K. Epting, Jr., Esquire
Jaan G. Rannik, Esquire
EPTING & RANNIK, LLC
46A State Street
Charleston, SC 29401
Telephone: (843) 377-1871
Facsimile: (843) 377-1310
agg@epting-law.com

