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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Benjamin H. Culbertson

Case No. 2017-CP-26-000273

Carolina Cool, Inc.,.....Plaintiff,

v.

Garrard Construction Group, Inc., Dave & Buster's of South Carolina, Inc. and Broadway at the Beach, Inc., and Billys Plumbing Company LLC.....Defendants,

AND

Garrard Construction Group, Inc.,Third-Party Plaintiff,

v.

RLI Insurance Company,Third-Party Defendant.

Of Which Carolina Cool, Inc. is theRespondent,

and

Garrard Construction Group, Inc. is the Appellant.

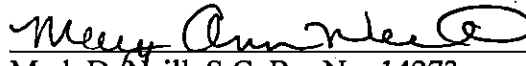
Motion to File Respondent's Amended Initial Brief

Respondent respectfully moves, with the Appellant's consent, for an order allowing it to file an amended Initial Brief in order to remove references to deposition testimony that is not included in

the Record on Appeal. Counsel for Appellant has reviewed Respondent's proposed Amended Initial Brief and consents to the requested relief. Furthermore, Counsel for Appellant has indicated no revisions to its Initial Reply Brief will be necessary. Respondent further affirms that the filing of the Amended Initial Brief will not delay the filing of Respondent's Final Brief. The proposed Amended Initial Brief of Respondent is attached hereto.

Respectfully submitted,

NEILL LAW FIRM, PA



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Attorneys for Respondent Carolina Cool,
Inc.

Dated: November 3, 2020
Murrells Inlet, South Carolina.

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Broadway at the Beach, Inc., and Billys Plumbing Company LLCDefendants,

Garrard Construction Group, Inc.,.....Third-Party Plaintiff,

v.

RLI Insurance Company,Third-Party Defendant.

Of Which Carolina Cool, Inc. is theRespondent,

and

Garrard Construction Group, Inc. is the Appellant.

PROOF OF SERVICE

I certify that I have served Respondent's Motion to File Respondent's Amended Initial Brief
on all attorneys of record by e-mailing a copy of same, on November 3, 2020, addressed as follows:

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November 3, 2020

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November 3, 2020

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SC Court of Appeals

VIA E-MAIL & US MAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

Re: Carolina Cool, Inc. vs. Garrard Construction Group, Inc., et al.
Case No: 2017-CP-26-3562
Appellate Case No: 2020-000273

Dear Ms. Kitchings:

Please find enclosed for filing, Respondent's *Motion to File Respondent's Amended Initial Brief*, together with a Proof of Service. Prior to filing, Appellant's Counsel reviewed the Motion and the Amended Initial Brief and consented to the relief requested. The filing fee in the amount of \$50.00 is also enclosed. Thank you for your assistance in this matter. If any additional information is needed, please let me know.

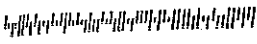
With kindest regards, I am

Sincerely,



Mary Anna Neill

cc: Counsel of Record



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Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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