

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas
Michael G. Nettles, Circuit Court Judge

Appellate Case No. 2020-000584

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Dec 22 2020

SC Court of Appeals

Jimmie Foreman, as Personal Representative of the Estate of Katie Dixon, Respondent,

v.

Shiloh Management Company, Inc., Pepper Hill Nursing Center, Inc., Pepper Hill Nursing & Rehab Center, LLC d/b/a Pepper Hill Nursing & Rehab Center, The Place at Pepper Hill, LLC, Pepper Hill Senior Properties, LLC, d/b/a The Place at Pepper Hill, Defendants,

of which Shiloh Management Company, Inc., Pepper Hill Nursing Center, Inc., Pepper Hill Nursing & Rehab Center, LLC d/b/a Pepper Hill Nursing & Rehab Center are the Appellants.

**JOINT MOTION TO STAY OR, IN THE ALTERNATIVE,
FOR EXTENSION OF TIME TO FILE REPLY**

Appellants and Respondents jointly move to stay all pending deadlines in this matter or, in the alternative, for an extension of time as set forth below. This motion is based on the settlement agreement and pending settlement approval of the underlying case. Specifically, on or about November 30, 2020, the parties mediated and reached a settlement agreement. However, this matter is still pending settlement approval by the Circuit Court.

As a result, the parties jointly request that the Court of Appeals stay all pending deadlines in this matter to permit the Circuit Court the opportunity to approve the settlement. In the alternative, the parties seek an extension of an additional 60 days to the deadline for Appellants to serve and file their reply brief.

Extraordinary circumstances exist for the stay or extension because while the parties have reached a settlement agreement, South Carolina law requires that this settlement be approved by the Circuit Court, which remains pending. As a result, the need for the stay or extension is based on matters outside the parties' control. Further, the stay or extension will preserve both judicial and party resources. Finally, the stay or extension serves the interests of justice.

s/ Brandon R. Gottschall
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Attorneys for Appellants

s/ James D. George, Jr.
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Attorneys for Respondents

December 22, 2020

Columbia, South Carolina

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SC Court of Appeals

From: [Gloria Coberly](#)
To: [Jacob Born](#); "[jgeorge@csa-law.com](#)"
Cc: [Brandon R. Gottschall](#); [Mark V. Gende](#)
Subject: Foreman v. Shiloh; Appellate Case 2020-000584
Date: Tuesday, December 22, 2020 12:06:00 PM
Attachments: [Letter to Ms. Kitchings.pdf](#)
[Joint Motion to Stay or for Extension.pdf](#)

Dear Counsel:

Attached is a copy of a letter to the Clerk of the Court of Appeals along with our Joint Motion to Stay or, in the Alternative, for Extension of Time to File Reply, which is being e-filed today.

Sincerely,
Gloria Coberly



Gloria P. Coberly | *Legal Assistant to Mark V. Gende and William A. Neinst*

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SWEENY WINGATE & BARROW P.A.

December 22, 2020

Reply to: Main Office

Brandon R. Gottschall
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The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: *Foreman v. Shiloh, et al.*
Civil Action No. 2019CP0202824
Appellate Case No. 2020-000584
Our File: 3919-12243

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SC Court of Appeals

Dear Ms. Kitchings:

Enclosed please find our firm's check in the amount of \$50.00, representing the filing fee for the parties' Joint Motion to Stay or in Alternative for an Extension, which was e-filed today.

Yours truly,

SWEENY, WINGATE & BARROW, P.A.

Brandon R. Gottschall

BRG/gpc

cc: Jacob D. Born, Esquire, jborn@csa-law.com
James D. George, Jr., jgeorge@csa-law.com