

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

DEC 16 2020

SC Court of Appeals

Jennifer B. McCoy, Circuit Court Judge

Case No. 2017-CP-10-00838
Appellate Case No. 2020-001210

Jacque-Lucas, Shirley Ann Lucas,
and Daniel Simerly,

Appellants,

v.

KapStone Paper and Packaging
Corporation, KapStone Kraft Paper
Corporation, Safway Group Holdings,
LLC, Easy Way Insulation Co., Sypris
Technologies Inc., Thompson Construction
Group, Inc., and Thompson Industrial
Services, LLC, Defendants,

Defendants,

Of which

KapStone Paper and Packaging
Corporation and KapStone Kraft Paper
Corporation are

Respondents.

**RESPONDENTS' MOTION REQUESTING
EXTENSION OF TIME TO FILE INITIAL BRIEF
AND DESIGNATION OF MATTER**

Respondents seek an Order of this Court, pursuant to Rule 240, SCACR, extending the time to file their Initial Brief and Designation of Matter in the above-captioned appeal. Respondents' Initial Brief and Designation of Matter is currently due to be filed on December 4, 2020. Respondents' Motion arises out of the obstacles imposed by the ongoing COVID-19

outbreak, in addition to familial obligations, which have limited Respondents' counsel's ability to complete the Respondents' Initial Brief and Designation of Matters before the present deadline. The Respondents, with the consent of the Appellants, request an extension of time to allow adequate time for counsel to prepare the brief. This Motion is not made for the purpose of undue delay or any other improper purpose.

THEREFORE, the Respondents request an Order extending the time to file and serve the Initial Brief of Respondents and Designation of Matter for thirty (30) days, making the new deadline January 4, 2021. The undersigned counsel for Respondents has consulted with counsel for Appellants, and Appellants consent to this extension.

Respectfully submitted,

BOWMAN AND BROOKE LLP

By: *s/ Richard H. Willis*
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**Attorneys for Respondents KapStone Paper and
Packaging Corporation and KapStone
Kraft Paper Corporation**

December 2, 2020

Columbia, South Carolina

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Corporation, Safway Group Holdings,
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Technologies Inc., Thompson Construction
Group, Inc., and Thompson Industrial
Services, LLC, Defendants,

Defendants,

Of which

KapStone Paper and Packaging
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Respondents.

PROOF OF SERVICE

I hereby certify that, on this date, the **RESPONDENTS' MOTION REQUESTING EXTENSION OF TIME TO FILE INITIAL BRIEF AND DESIGNATION OF MATTER** was served on Appellants' counsel via email, pursuant to Supreme Court Order dated March 20, 2020, as amended on May 29, 2020, and by first class U.S. mail as follows:

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A copy of the service email is attached hereto, as required.

I further certify that all parties required by Rule to be served have been served.

s/ Richard H. Willis

Richard H. Willis

December 2, 2020

Columbia, South Carolina

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SC Court of Appeals

Brianna Arnone

From: Brianna Arnone
Sent: Wednesday, December 2, 2020 2:14 PM
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Cc: KBATeam@ArnoldItkin.com; dhighfield@ycrlaw.com; lhall@ycrlaw.com; bhorton@ycrlaw.com; drew.richardson@mgclaw.com; sonalyhendricks@piercesloan.com; kstair@carlockcopeland.com; sherrymanning@piercesloan.com; lindsaygrady@piercesloan.com; kmcdonald@arnolditkin.com; alewis@arnolditkin.com; kfindley@arnolditkin.com; karnold@arnolditkin.com; ksellers@arnolditkin.com; carlpierce@piercesloan.com; mpeeler@carlockcopeland.com; carsonparker@piercesloan.com; lruddy@ycrlaw.com; sbrennan@ycrlaw.com; mollie.roche@mgclaw.com; jharvey@hsblawfirm.com; pnorris@cskl.law; alemons@cskl.law; jcanaday@cskl.law; myates@cskl.law; kshaw@cskl.law; jtiller@hsblawfirm.com; caplanr@whiteandwilliams.com; gelnettb@whiteandwilliams.com; abower@hsblawfirm.com; kkimberley@arnolditkin.com; Richard Willis; Derek Tarver; 'Ducayet, Jim'
Subject: Appellate Case No. 2020-001210; Jacque Lucas, Shirley Ann Lucas, and Daniel Simerly v. KapStone Paper and Packaging Corporation, et al.
Attachments: Lucas; 2020-11-30; KapStone Proof of Service re Motion for Extension re Initial Brief.pdf; Lucas; 2020-12-02; LT Clerk of Court re encl Respondents' Motion for Extension.pdf; 23539806v1 - Lucas_ 2020-11-30_ KapStone Motion for Extension.PDF

Good afternoon, Counsel,

Attached please find the following regarding the above-referenced matter:

- Respondents' Motion Requesting Extension of Time to File Initial Brief and Designation of Matter
- Proof of Service

The attached documents are being submitted today to the Court of Appeals for filing.

Thank you!

Brianna E. Arnone

Paralegal

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December 2, 2020

VIA U.S. MAIL & EMAIL

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

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Re: Jacque Lucas, Shirley Ann Lucas and Daniel Simerly vs KapStone Paper and Packaging Corporation and KapStone Kraft Paper Corporation, et al.
Appellate Case No. 2020-001210

Dear Ms. Kitchings:

Enclosed please find **Respondents' Motion Requesting Extension of Time to File Initial Brief and Designation of Matter** and a **Poof of Service** in connection with the above-referenced matter. We respectfully request that you file the same with the Court and return a clocked copy via return email.

The enclosed documents have been served upon Appellants' counsel today via email.

Please contact me with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Rich Willis".

Richard H. Willis
Managing Partner

RHW/bea
Enclosures: As referenced.

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
December 2, 2020
Page 2

cc: VIA US MAIL & EMAIL
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