

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

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

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**RECEIVED**

**Jan 05 2021**

**SC Court of Appeals**

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. f/k/a  
Tube-Turns 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.

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**APPELLANTS' MOTION REQUESTING  
EXTENSION OF TIME TO FILE REPLY BRIEF**

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Appellants seek an Order of this Court, pursuant to Rule 240, SCACR, extending the time to file their Reply Brief in the above-captioned appeal. Respondents' filed their Initial Brief and Designation of Matter on December 30, 2020, and then, with the consent of Appellants, Respondents filed a Motion to File Amended Initial Brief along with the Amended Initial Brief of Respondents on January 4, 2021. Appellants' Reply Brief is currently due to be filed as early as January 11, 2021, or upon January 14, 2021, which is ten (10) days following the date Respondents' Amended Initial Brief was filed.

Briefing in this case is extensive, with both Appellants and Respondents each having filed initial briefs over 40 pages in length. Given the extensive briefing and counsels' schedules, additional time is necessary for Appellants to thoroughly review Respondents' Initial Brief and prepare their Reply Brief. This Motion is not made for purposes of undue delay or any other improper purpose.

THEREFORE, the Appellants request an Order extending the time to file and serve the Reply Brief of Appellants until and including January 25, 2021. The undersigned counsel for Appellants has consulted with counsel for Respondents, and Respondents have consented to this extension.

[Signature Page to Follow]

Respectfully submitted,

**CALLISON TIGHE & ROBINSON, LLC**

*/s/ D. Reece Williams, III*

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D. Reece Williams, III (SC Bar No. 6120)  
Richard C. Detwiler (SC Bar No. 6473)  
Ian T. Duggan (SC Bar No. 80074)  
1812 Lincoln Street, Suite 200 (29201)  
Post Office Box 1390  
Columbia, South Carolina 29202-1390  
Telephone: 803-404-6900  
Facsimile: 803-404-6902  
Email: ReeceWilliams@CallisonTighe.com  
RickDetwiler@CallisonTighe.com  
IanDuggan@CallisonTighe.com

*Attorneys for the Appellants*

**BECK REDDEN LLP**

Russell S. Post (TX Bar No. 00797258)  
Daniel N. Nightingale (TX Bar No. 24098886)  
1221 McKinney Street, Suite 4500  
Houston, Texas 77010  
Telephone: 713-951-3700  
Facsimile: 713-951-3720  
Email: rpost@beckredde.com  
dhammond@beckredde.com

*Attorneys for Appellants*

*Pro Hac Vice Motions in Progress*

January 5, 2021  
Columbia, South Carolina

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Co., Sypris Technologies, Inc. f/k/a  
Tube-Turns 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.

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**PROOF OF SERVICE**

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I hereby certify that, on this date, the **APPELLANTS' MOTION REQUESTING EXTENSION OF TIME TO FILE REPLY BRIEF** was served on Respondents' counsel via email, pursuant to Supreme Court Order dated March 20, 2020, as amended on May 29, 2020, as follows:

**ATTORNEY FOR KAPSTONE PAPER AND PACKING CORPORATION AND KAPSTONE KRAFT PAPER CORPORATION**

Richard H. Willis, Esquire  
Derek D. Tarver, Esquire  
Bowman and Brooke, LLP  
1441 Main Street, Suite 1200  
Columbia, SC 29201  
[richard.willis@bowmanandbrooke.com](mailto:richard.willis@bowmanandbrooke.com)  
[derek.tarver@bowmanandbrooke.com](mailto:derek.tarver@bowmanandbrooke.com)

-and-

James Wallace Ducayet, Esquire (*pro hac vice*)  
Sidley Austin, LLP  
1 S. Dearborn Street  
Chicago, IL 60603-2302  
[jducayet@sidley.com](mailto:jducayet@sidley.com)

**ATTORNEYS FOR SAFEWAY GROUP HOLDINGS, LLC**

Duke R. Highfield, Esquire  
Jeffrey J. Wiseman, Esquire  
Brandt R. Horton, Esquire  
Victoria L. Anderson, Esquire  
YCRLAW, LLC  
25 Calhoun Street, Suite 400  
Charleston, SC 29401  
[dhighfield@ycrlaw.com](mailto:dhighfield@ycrlaw.com)  
[jwiseman@ycrlaw.com](mailto:jwiseman@ycrlaw.com)  
[bhorton@ycrlaw.com](mailto:bhorton@ycrlaw.com)  
[tanderson@ycrlaw.com](mailto:tanderson@ycrlaw.com)

**ATTORNEYS FOR SYPRIS TECHNOLOGIES, INC., F/K/A TUBE-TURNS TECHNOLOGIES**

Kent T. Stair, Esquire  
J. Patrick Norris, Esquire  
Alexandra M. Lemons, Esquire  
Melissa Mary Yates, Esquire  
Carlock, Copeland and Stair, LLP  
40 Calhoun Street  
Suite 400  
Charleston, SC 29401  
[kstair@carlockcopeland.com](mailto:kstair@carlockcopeland.com)  
[pnorris@carlockcopeland.com](mailto:pnorris@carlockcopeland.com)  
[myates@cskl.law](mailto:myates@cskl.law)  
[alemons@cskl.law](mailto:alemons@cskl.law)

**ATTORNEYS FOR THOMPSON CONSTRUCTION GROUP, INC.  
AND THOMPSON INDUSTRIAL SERVICES, LLC**

Sonaly K. Hendricks, Esquire  
Carl E. Pierce, II, Esquire  
Carson Parker, Esquire  
Pierce, Hems, Sloan & Wilson, LLC  
The Blake House  
321 East Bay Street  
P.O. Box 22437  
Charleston, SC 29413  
[sonalyhendricks@phswlaw.com](mailto:sonalyhendricks@phswlaw.com)  
[carlpierce@piercesloan.com](mailto:carlpierce@piercesloan.com)  
[carsonparker@piercesloan.com](mailto:carsonparker@piercesloan.com)

**ATTORNEYS FOR PETITIONERS SENTRY CASUALTY  
COMPANY**

John H. Tiller, Esquire  
Amy F. Bower, Esquire  
Haynsworth Sinkler Boyd, P.A.  
P.O. Box 340  
Charleston, SC 29402  
[jtiller@hsblawfirm.com](mailto:jtiller@hsblawfirm.com)  
[abower@hsblawfirm.com](mailto:abower@hsblawfirm.com)

Robert M. Caplan, Esquire  
Brian Gelnett, Esquire  
White and Williams, LLP  
1650 Market Street  
One Liberty Place, Suite 1800  
Philadelphia, PA 19103  
[caplanr@whiteandwilliams.com](mailto:caplanr@whiteandwilliams.com)  
[gelnettb@whiteandwilliams.com](mailto:gelnettb@whiteandwilliams.com)

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/ D. Reece Williams, III*  
\_\_\_\_\_  
D. Reece Williams, III

January 5, 2021  
Columbia, South Carolina

**From:** [Katie Minton](#)  
**To:** [Richard Willis](#); ["Derek Tarver"](#); ["Ducayet, Jim"](#)  
**Cc:** [Kurt Arnold](#); [Kyle Findley](#); [Adam Lewis](#); [Kala Sellers](#); [Joseph F McGowin](#); [Kristina McDonald](#); [Jill Erickson](#); [KBA Team](#); [Brianna.Arnone@bowmanandbrooke.com](#); ["Kim Rothrock"](#); ["Duke R. Highfield, Esq."](#); [Wiseman, Jeffrey](#); ["Brandt R. Horton, Esq."](#); ["Anderson, Victoria \(Tori\)"](#); ["Brennan, Sally"](#); [Cattles, Martina \(Marti\)](#); ["kstair@carlockcopeland.com"](#); [Norris, Patrick J.](#); [Yates, Melissa M.](#); [Lemons, Alexandra M.](#); ["mpeeler@carlockcopeland.com"](#); [Shaw, Katie D.](#); [Canaday, Jenifer L.](#); [Sonaly Hendricks](#); ["Carl Pierce"](#); [Carson Parker](#); ["William O. Sweeny IV"](#); [sherrymanning@phswlaw.com](#); [lindsaygrady@phswlaw.com](#); ["jtiller@hsblawfirm.com"](#); ["Amy Bower, Esq."](#); [Caplan, Robert](#); ["gelnett@whiteandwilliams.com"](#); [Reece Williams](#); [Rick Detwiler](#); [Ian T. Duggan](#); [Russell Post](#); [Daniel N. Hammond](#); [Harry Dixon](#); [Laura L. Crain](#); [hsantiago@yclr.com](#)  
**Subject:** RE: Appellate Case No. 2020-001210 | Jacque Lucas, Shirley Ann Lucas and Daniel Simerly vs. KapStone Paper and Packaging Corporation, et al.  
**Date:** Tuesday, January 5, 2021 4:45:00 PM  
**Attachments:** [2021-01-05 LTR to Clerk Court of Appeals filing Motion for Extension to File Reply Brief.pdf](#)  
[Motion for Extension to File Reply Brief \(1.5.21\) final.pdf](#)  
[Proof of Delivery - Motion for Extension for Reply Brief.pdf](#)

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Dear Counsel,

Attached please find our correspondence to the appellate clerk enclosing Appellants' Motion Requesting Extension of Time to File Reply Brief, together with the Proof of Service, in regard to the above-referenced matter. The attached documents are being submitted today to the Court of Appeals for filing. Thank you.

With kind regards,



**Katie A. Minton**

**Litigation Paralegal**

Callison Tighe & Robinson, LLC

1812 Lincoln Street

P.O. Box 1390

Columbia, SC 29202

P 803.404.6900

F 803.404.6902

E [KatieMinton@callisontighe.com](mailto:KatieMinton@callisontighe.com)

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D. REECE WILLIAMS, III - Member  
803-404-6900  
[ReeceWilliams@callisontighe.com](mailto:ReeceWilliams@callisontighe.com)

January 5, 2021

**RECEIVED**

**Jan 05 2021**

**SC Court of Appeals**

**VIA EMAIL: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)**

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

**Re: Jacque Lucas, Shirley Ann Lucas and Daniel Simerly  
vs. KapStone Paper and Packaging Corporation and  
KapStone Kraft Paper Corporation, et al.  
Appellate Tracking No. 2020-001210  
Our File No. 6716.001**

Dear Ms. Kitchings:

Enclosed herewith please find Appellants' Motion Requesting Extension of Time to File Reply Brief, together with the Proof of Service, in the above-referenced matter. Kindly file the same and return a clocked-in copy of each to the undersigned via return email. It is my understanding that, pursuant to Supreme Court Order dated March 20, 2020 as amended, no filing fee is required for this Motion.

The enclosed documents have been served upon Respondents' counsel today via email as indicated in the Proof of Service.

Please feel free to contact me with any questions. Thank you.

With kind regards, I am

Sincerely yours,

**CALLISON TIGHE & ROBINSON, LLC**

*s/ D. Reece Williams*

D. Reece Williams

DRW:kam  
Enclosures

The Honorable Jenny Abbott Kitchings  
January 5, 2021  
Page 2

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cc: (w/ encl.)

VIA EMAIL AND FIRST CLASS MAIL

Richard H. Willis, Esquire  
Derek D. Tarver, Esquire

VIA EMAIL ONLY

Kurt B. Arnold, Esquire  
J. Kyle Findley, Esquire  
Adam D. Lewis, Esquire  
Kala Sellers, Esquire  
Joseph F. McGowin, IV, Esquire  
Russell S. Post, Esquire  
Daniel N. Nightingale, Esquire  
James Wallace Ducayet, Esquire  
Kent T. Stair, Esquire  
J. Patrick Norris, Esquire  
Alexandra M. Lemons, Esquire  
Melissa Mary Yates, Esquire  
Sonaly K. Hendricks, Esquire  
Carl E. Pierce, II, Esquire  
Carson Parker, Esquire  
Duke R. Highfield, Esquire  
Jeffrey J. Wiseman, Esquire  
Brandt R. Horton, Esquire  
Victoria L. Anderson, Esquire  
John H. Tiller, Esquire  
Amy F. Bower, Esquire  
Robert M. Caplan, Esquire  
Brian Gelnett, Esquire