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Jan 21 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Shirley C. Robinson, Administrative Law Court Judge

Appellate Case No. 2020-001090

Ex Parte: Coastal Conservation League,.....Appellant,

In Re: KDP, II, LLC,Respondent,

v.

South Carolina Department of Health and Environmental Control,.....Respondent.

**RESPONDENT’S MOTION FOR SECOND EXTENSION OF TIME TO FILE
INITIAL BRIEF AND DESIGNATION OF MATTER**

Respondent, KDP, II, LLC, respectfully requests a 30-day extension of the deadline for filing and serving its Initial Brief and Designation of Matter in the above-captioned appeal. The current deadline is February 1, 2021. The requested deadline would be March 3, 2021.

The undersigned counsel is the attorney principally responsible for preparing Respondent’s Initial Brief and Designation of Matter. This extension is requested due to Respondent counsel’s workload and his ongoing recovery from a recent illness. In addition, counsel has multiple matters requiring significant attention as the new year begins. Extension of the deadline in this matter is sought to provide ample time for preparation of the required filings in this matter as well as those required in other pending matters.

This is the second request for an extension of the deadline for filing Respondent’s Initial

Brief. However, I affirm this Motion is made in good faith and not for the purpose of delay.

Counsel for Appellant Coastal Conservation League and counsel for Respondent South Carolina Department of Health and Environmental Control consent to this Motion.

Respectfully submitted,

/s/ Thomas P. Gressette, Jr.
Thomas P. Gressette, Jr. (S.C. Bar #14065)
Email: Gressette@WGFLAW.com
G. Trenholm Walker (S.C. Bar #5777)
Email: Walker@WGFLAW.com
Walker Gressette Freeman & Linton, LLC
P.O. Box 22167, Charleston, SC 29413
843-727-2200 Telephone
843-727-2238 Facsimile

ATTORNEYS FOR RESPONDENT, KDP, II, LLC

January 21, 2021
Charleston, South Carolina

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PROOF OF SERVICE

I, Kim H. Weldin, a paralegal with Walker Gressette Freeman & Linton, LLC, hereby certify that I have served this 21st day of January 2021, Respondent’s Motion for Second Extension of Time to File Initial Brief and Designation of Matter, on all counsel of record by email to the following:

<p>Amy E. Armstrong, Esq. Leslie S. Lenhardt, Esq. SOUTH CAROLINA ENVIRONMENTAL LAW PROJECT P.O. Box 1380 Pawleys Island, SC 29585 <i>Attorneys for Appellant Coastal Conservation League</i></p>	<p>Bradley D. Churdar, Esq. Sallie P. Phelan, Esq. Office of General Counsel SCDHEC-OCRM 1362 McMillan Avenue, Suite 400 Charleston, SC 29405 <i>Attorneys for Respondent South Carolina Department of Health and Environmental Control</i></p>
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Kim H. Weldin
Paralegal

January 21, 2021
Charleston, South Carolina



G. Trenholm Walker
Thomas P. Gressette, Jr.
Ian W. Freeman
John P. Linton, Jr.
Charles P. Summerall, IV
Jennifer S. Ivey

THOMAS P. GRESSETTE, JR.
Direct: 843.727.2249
Email: Gressette@WGFLAW.com

January 21, 2021

VIA ELECTRONIC FILING AND US MAIL

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29211
ctappfilings@sccourts.org

Re: Ex Parte: Coastal Conservation League v. KDP, II, LLC, et al.
Appellate Case No.: 2020-001090
WGFL File No.: 2338.042

Dear Ms. Kitchings:

Enclosed for filing, please find Respondent's Motion for Second Extension of Time for an additional thirty (30) days for the service and filing of Respondent's Initial Brief and Designation of Matter. The current deadline for filing Respondent's Initial Brief and Designation of Matter is February 1, 2021. With the extension, the due date would be March 3, 2021.

We understand that under the Supreme Court's Amended Order of December 16, 2020, filing fees for extensions of time are no longer waived. As such, please find enclosed via US Mail our firm's check in the amount of \$50.00 for the filing fee for this motion.

I have discussed the extension with opposing counsel who consent to the same.

By copy of this letter, I am serving all counsel of record with the Motion as set forth in the enclosed Proof of Service. Your courtesies and consideration of this request are greatly appreciated.

Sincerely yours,

/s/
Thomas P. Gressette, Jr.

Enclosures (as stated above)

cc: All Counsel of Record (Via email only)

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