

RECEIVED
Feb 10 2021
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Alex Kinlaw, Jr., Circuit Court Judge

Case No. 2012-CP-23-02887

Appellate Case No. 2020-001587

CUSTOM CONVERTING, LLC, Plaintiff,
DAVID WILSON, INDIVIDUALLY AND DERIVATIVELY ON BEHALF OF CAROLINA
vs.

JOHN GANDIS, ANDREA COMEAU-SHIRLEY, ZOI FILMS, LLC, AND CAROLINA
CUSTOM CONVERTING, LLC, Defendants,

JOHN GANDIS AND ANDREA COMEAU-SHIRLEY, Third-Party Plaintiffs,

vs.

CAROLINA CUSTOM CONVERTING, LLC,
..... Third-Party Defendant and Counterclaim Plaintiff,
vs.

DAVID WILSON, STEVE NORVELL, NEOLOGIC DISTRIBUTION, INC. AND FRESH
WATER SYSTEMS, INC.,

OF WHOM DAVID WILSON is the.....Respondent,

and

CAROLINA CUSTOM CONVERTING, LLC, is the..... Appellant.

MOTION TO EXTEND ABEYANCE

Pursuant to Rule 240, SCACR, Appellant Carolina Custom Converting, LLC (“CCC” or the Company), with the consent of Respondent David Wilson (“Mr. Wilson”), hereby moves the Court to extend the suspension of the appeal for an additional sixty (60) days. On December 29,

2020, the Court granted the motion to suspend the appeal (the “Order”). The Order granting the motion invited the parties to seek an extension in the event it was necessary. Since entry of the Order, the parties have proceeded in the lower court to have the remaining issues resolved. The lower court has entered a briefing schedule, which provides for the final brief to be submitted on or March 4, 2021. Afterwards, the Court provided that it may hold a hearing. In order to allow for the remaining issues to be ruled upon by the lower court, the parties respectfully request that the Court extend the stay for an additional sixty (60) days.

Dated: February 10, 2021

Respectfully submitted,

BURL F. WILLIAMS, P.A.

s/ Burl F. Williams

Burl F. Williams (S.C. Bar No. 77901)

201 Riverplace, Suite 500

Greenville, South Carolina 29601

864.546.5035

burl@burlfwilliams.com

Counsel for Carolina Custom Converting, LLC

RECEIVED
Feb 10 2021
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Alex Kinlaw, Jr., Circuit Court Judge

Case No. 2012-CP-23-02887

Appellate Case No. 2020-001587

CUSTOM CONVERTING, LLC, Plaintiff,
DAVID WILSON, INDIVIDUALLY AND DERIVATIVELY ON BEHALF OF CAROLINA
vs.

JOHN GANDIS, ANDREA COMEAU-SHIRLEY, ZOI FILMS, LLC, AND CAROLINA
CUSTOM CONVERTING, LLC, Defendants,

JOHN GANDIS AND ANDREA COMEAU-SHIRLEY, Third-Party Plaintiffs,

vs.

CAROLINA CUSTOM CONVERTING, LLC,
..... Third-Party Defendant and Counterclaim Plaintiff,
vs.

DAVID WILSON, STEVE NORVELL, NEOLOGIC DISTRIBUTION, INC. AND FRESH
WATER SYSTEMS, INC.,

OF WHOM DAVID WILSON is the.....Respondent,

and

CAROLINA CUSTOM CONVERTING, LLC, is the..... Appellant.

PROOF OF SERVICE

I certify that on February 10, 2021, I served the Motion to Extend the Abeyance by sending a copy of the same to the email address for Respondent David Wilson, counsel of record as identified in the Attorney Information System pursuant to Supreme Court *Order Re: Operation of*

the Appellate Courts During the Coronavirus Emergency (g)(3). Specifically, I certify that a copy was sent to: aarnold@aalawfirm.com. A copy of the sent email is attached as *Exhibit 1* to this certificate of service.

Dated February 10, 2021

Respectfully submitted,

BURL F. WILLIAMS, P.A.

s/ Burl F. Williams

Burl F. Williams (S.C. Bar No. 77901)

201 Riverplace, Suite 500

Greenville, South Carolina 29601

864.546.5035

burl@burlfwilliams.com

Counsel for Carolina Custom Converting, LLC

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

Feb 10 2021

SC Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Alex Kinlaw, Jr., Circuit Court Judge

Case No. 2012-CP-23-02887

DAVID WILSON, INDIVIDUALLY AND DERIVATIVELY ON BEHALF OF CAROLINA
CUSTOM CONVERTING, LLC, Plaintiff,

vs.

JOHN GANDIS, ANDREA COMEAU-SHIRLEY, ZOI FILMS, LLC, AND CAROLINA
CUSTOM CONVERTING, LLC, Defendants,

JOHN GANDIS AND ANDREA COMEAU-SHIRLEY, Third-Party Plaintiffs,

vs.

CAROLINA CUSTOM CONVERTING, LLC,
..... Third-Party Defendant and Counterclaim Plaintiff,

vs.

DAVID WILSON, STEVE NORVELL, NEOLOGIC DISTRIBUTION, INC. AND FRESH
WATER SYSTEMS, INC.,

OF WHOM DAVID WILSON is the.....Respondent,

and

CAROLINA CUSTOM CONVERTING, LLC, is the..... Appellant.

EXHIBIT 1 PROOF OF SERVICE

From: [Burl Williams](#)
To: ["W. Andrew Arnold"](#)
Subject: Motion to Extend Abeyance
Date: Wednesday, February 10, 2021 2:05:00 PM
Attachments: [Motion to Extend Abeyance.pdf](#)
[image001.png](#)

Andy:

Please find attached the motion to extend the abeyance in place for this appeal. Thank you again for your consent. This will be filed today.

Burl

Burl F. Williams
201 Riverplace, Suite 500
Greenville, South Carolina 29601
burl@burlfwilliams.com
www.burlfwilliams.com
(O) 864.546.5035 (M) 803.422.1773
BURL F. WILLIAMS, P.A.

BURL F. WILLIAMS, P.A.

201 Riverplace - Suite 500
Greenville, South Carolina 29601
864.546.5035
www.burlfwilliams.com

RECEIVED

Feb 10 2021

SC Court of Appeals

February 10, 2021

SENT VIA EMAIL TO: CTAPPFILINGS@SCCOURTS.ORG

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: *David Wilson, et al. v. John Gandis, et al., Appellate Case No. 2020-001587,
Of Whom Carolina Custom Converting, LLC is the Appellant and David Wilson is
the Respondent*

Dear Ms. Kitchings:

Enclosed please find a copy of Appellant's consent motion to extend the current abeyance of appellate proceedings. A copy of this letter and the motion filing fee will be placed in the U.S. mail today.

Please contact my office with any questions.

Sincerely,

s/ Burl F. Williams

CC:

W. Andrew Arnold, Esq. (E-mail: aarnold@hortonlawfirm.net)