

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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Feb 26 2021

S.C. SUPREME COURT

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
G. Thomas Cooper, Jr., Circuit Court Judge

C.A. No. 2011-CP-10-00387

PCS Nitrogen, Inc. Petitioner

vs.

Continental Casualty Company, Admiral Insurance Company,
United States Fire Insurance Company, ACE Property & Casualty Insurance Company,
Certain Underwriters at Lloyd's London, the Aviva Companies, The Winterhur Companies,
Certain London Market Insurance Companies, Providence Washington Insurance Company (as
Successor in Interest by way of Merger to Seaton Insurance Company, f/k/a Unigard Security
Insurance, f/k/a Unigard Mutual Insurance Company), Berkshire Hathaway Specialty Insurance
Company (f/k/a Stonewall Insurance Company), Lexington Insurance Company,
Starr Indemnity & Liability Company (f/k/a Republic Insurance Company), First State Insurance
Company, Century Indemnity Company (f/k/a California Union Insurance Company and
Insurance Company of North America) Defendants

Of Whom

Continental Casualty Company, Admiral Insurance Company,
United States Fire Insurance Company, Certain Underwriters at Lloyd's London,
The Aviva Companies, The Winterhur Companies, Certain London Market Insurance
Companies, Providence Washington Insurance Company (as Successor in Interest by
way of Merger to Seaton Insurance Company, f/k/a Unigard Security Insurance, f/k/a
Unigard Mutual Insurance Company), Berkshire Hathaway Specialty Insurance
Company (f/k/a Stonewall Insurance Company), Lexington Insurance Company,
Starr Indemnity & Liability Company (f/k/a Republic Insurance Company),
and First State Insurance Company, Respondents.

MOTION FOR EXTENSION OF TIME

Continental Casualty Company for itself and the other Respondents (hereinafter collectively

“Respondents”), by and through its undersigned counsel, and respectfully moves the Court pursuant to Rule 263(b), SCACR, for a thirty-day extension of time to and including April 26, 2021, to file and serve its consolidated brief in this case. In support thereof, Respondents show the Court the following:

1. Respondents’ time for filing and serving its Brief to be has not expired.
2. Respondents need additional time in order to prepare its Brief, because it is the intention of the Respondents to file a single consolidated brief and given the number of parties, attorneys, and clients who will be involved in the review process additional time is needed.
3. A thirty-day extension of time for Respondents to file its Brief will serve the interests of justice by allowing counsel adequate time to prepare a thorough and detailed consolidated Brief in this case.
4. Respondents do not request this extension for the impermissible purpose of delay.
5. Appellant/Petitioner consents to the extension.
6. All other Respondents consent to the extension and join in the request.

WHEREFORE, Respondent Continental Casualty Company for itself and on behalf of the other Respondents respectfully moves the Court for a thirty-day extension of time to and including April 26, 2021, to file and serve Respondents Brief.

February 26, 2021

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