

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**  
**Apr 02 2021**  
**SC Court of Appeals**

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APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

Brian M. Gibbons, Circuit Court Judge

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Case No.: 2017-CP-42-00740

Appellate Case No.: 2020-001642

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Gibbs International, Inc. ....Respondent,

v.

Sarmad Harake, Eurosa, Inc., and Katherine Harake ..... Defendants,  
of whom Sarmad Harake and Eurosa, Inc. are the Appellants.

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**CONSENT MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT'S INITIAL  
BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON  
APPEAL**

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Pursuant to Rule 240, SCACR, Respondent Gibbs International, Inc. (“Respondent”) hereby moves for a THIRTY (30) day extension to file Respondent’s Initial Brief and Designation of Matter to Include in the Record on Appeal (“Respondent’s Initial Brief and Designation of Matter”), thereby making Initial Brief and Designation of Matter due on May 17, 2021. This is Respondent’s first request for an extension of time.

**WHEREAS**, Appellants Sarmad Harake and Eurosa, Inc. (“Appellants”) filed a Notice of Appeal on December 17, 2020;

**WHEREAS**, Appellants, with the consent of Respondent, obtained two (2) thirty (30) day extensions to file Appellants’ Initial Brief (“Appellants’ Initial Brief”);

**WHEREAS**, Appellants filed their Initial Brief on March 17, 2021;

**WHEREAS**, Appellants filed their Designation of Matter to be Included in the Record on Appeal on March 19, 2021;

**WHEREAS**, Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal are currently due on April 16, 2021;

**NOW THEREFORE**, Respondent respectfully requests a thirty (30) day extension to file Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal, thereby making Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal due on May 17, 2021.

This request is the first extension request by Respondent. Respondent's counsel conferred with counsel for Appellants prior to the filing of this Motion, and Appellants consent to the requested extension.

Pursuant to the Supreme Court of South Carolina's May 29, 2020 Order, Respondent has not enclosed a filing fee with this Motion. However, should a filing fee be required, counsel for Respondent will immediately transmit a filing fee. Respondent files and serves this motion via e-mail using the e-mail addresses listed in the Attorney Information System as well as by regular mail.

s/KEVIN A. DUNLAP  
Kevin A. Dunlap  
S.C. Bar No. 13081  
Parker Poe Adams & Bernstein LLP  
100 Dunbar Street, Suite 206  
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*Attorney for Respondent*  
*Gibbs International, Inc.*

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of whom Sarmad Harake and Eurosa, Inc. are the Appellants.

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**PROOF OF SERVICE**

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This is to certify that the undersigned has caused to be served this day (1) copy of Respondent's Motion for Extension of Time to File Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal via electronic mail and by regular mail as follows:

John T. Lay  
Curtis L. Ott  
Lindsay A. Joyner  
1201 Main Street, Suite 1200  
P.O Box 7368  
Columbia, SC 29202  
[jlay@GWBlawfirm.com](mailto:jlay@GWBlawfirm.com)  
[cott@GWBlawfirm.com](mailto:cott@GWBlawfirm.com)  
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April 2, 2021

s/KEVIN A. DUNLAP  
Kevin A. Dunlap  
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*Attorney for Respondent*  
*Gibbs International, Inc.*

**From:** [Dunlap, Kevin A.](#)  
**To:** [Lindsay A. Joyner \(ljoyner@gwblawfirm.com\)](mailto:ljoyner@gwblawfirm.com)  
**Subject:** Gibbs International, Inc. v. Harake, et al., Appellate Case No. 2020-001642  
**Date:** Friday, April 2, 2021 10:29:10 AM  
**Attachments:** [2021-04-02 Letter to Court of Appeals enc. Motion for Extension.pdf](#)  
[2021-04-02 Motion for Extension.pdf](#)  
[2021-04-02 Proof of Service.pdf](#)

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Lindsay:

Hope all is well. I am serving via email Respondent Gibbs International, Inc.'s Motion for Extension in the above-captioned matter. I will be filing this with the Court of Appeals electronically today and will attach this email to the certificate of service of same. Thanks.

Kevin

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**Kevin Dunlap**  
Partner  
864.253.6105



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**Apr 02 2021**

**SC Court of Appeals**

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Atlanta, GA  
Charleston, SC  
Charlotte, NC  
Columbia, SC  
Greenville, SC  
Raleigh, NC  
Spartanburg, SC  
Washington, DC

April 2, 2021

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1229 Senate Street  
Columbia, South Carolina 29201

**Re: Gibbs International, Inc., Respondent, v. Sarmad Harake and Eurosa, Inc.,  
Appellants  
Case No. 2017-CP-42-00740  
Appellate Case No. 2020-001642**

Dear Ms. Kitchings:

Attached for electronic filing in accordance with Supreme Court Order 2020-05-29-02, part (c)(6), and pursuant to Rule 203 of the South Carolina Appellate Court Rules, please find Consent Motion for Extension Of Time to File Respondent’s Initial Brief and Designation of Matter to be Included in the Record on Appeal in the above-captioned matter. I believe there is no filing fee for this motion pursuant to part (l)(1), but should that be incorrect, the filing fee will be provided to the Court by US mail. As permitted by Order 2020-05-29-02, part (d), no other copies, whether paper or electronic, are being provided.

Please do not hesitate to contact me if there are any questions.

With best wishes, I am

Very truly yours,

Kevin A. Dunlap

KAD  
Attachments

cc: Lindsay A. Joyner

PPAB 6227545v1