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Apr 05 2021

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Spartanburg County
Court of Common Pleas

J. Mark Hayes II, Circuit Court Judge

Case No. 2019-CP-42-02449 / Appellate Case No. 2020-001553

Estate of Maggie McCraw,
through the appointed personal representative, Ruby Knight, Respondent,

v.

Fundamental Clinical and Operational Services, LLC;
Fundamental Administrative Services, LLC; THI of South
Carolina at Magnolia Place at Spartanburg, LLC d/b/a Physical
Rehabilitation and Wellness Center of Spartanburg f/k/a
Magnolia Place at Spartanburg; Vohra Post-Acute Care
Physicians of the East, P.A.; and David Violette, M.D., Defendants,

Of whom Fundamental Clinical and Operational Services, LLC;
Fundamental Administrative Services, LLC; and THI of South
Carolina at Magnolia Place at Spartanburg, LLC d/b/a Physical
Rehabilitation and Wellness Center of Spartanburg f/k/a
Magnolia Place at Spartanburg are Appellants.

**APPELLANTS' MOTION FOR SECOND EXTENSION OF TIME TO
FILE/SERVE INITIAL BRIEF OF APPELLANTS**

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Attorneys for Appellants

NOW COME Appellants, Fundamental Clinical and Operational Services, LLC; Fundamental Administrative Services, LLC; and THI of South Carolina at Magnolia Place at Spartanburg, LLC d/b/a Physical Rehabilitation and Wellness Center of Spartanburg f/k/a Magnolia Place at Spartanburg, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move this Honorable Court for a second extension of thirty (30) days' time to file/serve their initial brief and corresponding designation of matter to be included in the record on appeal.

Presently, by order of this Court filed March 4, 2021, the deadline for Appellants' initial brief and designation of matter is today, April 5, 2021. Because of work-related and other time commitments, the undersigned is in need of additional time to complete the Initial Brief of Appellants and designation and respectfully submits that the relief requested herein is duly supported as an appropriate dispensation that is consistent with the interests of justice that will not result in any undue prejudice or delay.

WHEREFORE, Appellants move for an additional extension of thirty (30) days' time to file/serve their initial brief and corresponding designation of matter to be included in the record on appeal, i.e., an extension through May 5, 2021. Further, Appellants respectfully request that the Court hold their present initial-briefing/designation-of-matter deadline in abeyance until it acts upon this motion.

Respectfully submitted,
CLEMENT RIVERS, LLP

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Of whom Fundamental Clinical and Operational Services, LLC;
Fundamental Administrative Services, LLC; and THI of South
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Rehabilitation and Wellness Center of Spartanburg f/k/a
Magnolia Place at Spartanburg are Appellants.

PROOF OF SERVICE

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Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, counsel for Appellants above named, do hereby certify that I have served **APPELLANTS' MOTION FOR SECOND EXTENSION OF TIME TO FILE/SERVE INITIAL BRIEF OF APPELLANTS** on all parties on 5, 2021, via email (see attached) to their following counsel of record:

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Respectfully submitted,
CLEMENT RIVERS, LLP

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Attorneys for Appellants

Charleston, South Carolina

April 5, 2021

Hines, Russell

From: Hines, Russell
Sent: Monday, April 5, 2021 6:06 PM
To: Boss Poliakoff; 'Ray Mullman'; John Waelde; 'Bobby Hood, Jr.'; 'Collier Jones'
Cc: Justman, Aimee; Bell, Pollyana (Polly); Brown, Stephen L.
Subject: App. Case No. 2020-001553 (McCraw v. Fundamental) -- Motion for Second Extension re Initial Brief of Appellants
Attachments: Appellate Case No. 2020-001553 - Motion for 2d Extension re AIB.pdf

Attached regarding the above-referenced case please find **Appellants' Motion for Second Extension of Time to File/Serve Initial Brief of Appellants.**

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