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May 25 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
The Honorable R. Lawton McIntosh

Circuit Court Case No. 2019-CP-07-01246
Appellate Case No. 2021-000375

Greg Marcus Simmons and Jermaine Robinson, both individually and derivatively on behalf of Simmons Family Holdings, LLC, a South Carolina Limited Liability Company,
Respondents,

v.

Palmer E. Simmons, individually and as Trustee of the Charles E. Simmons, Jr. and Rosa G. Simmons Revocable Trust dated May 5, 2016, and Charlesetta S. Aiken,
Appellants,

and

Simmons Family Holdings, LLC,

as a nominal Defendant.

APPELLANTS' MOTION FOR SECOND EXTENSION

By order of this Court dated May 12, 2021, Appellants were given an extension until June 4, 2021, in which to file their initial brief and designation of matter for inclusion in the Record on Appeal. Appellants Palmer E. Simmons, individually and as Trustee of the Charles E. Simmons, Jr. and Rosa G. Simmons Revocable Trust dated May 5, 2016,

and Charlesetta S. Aiken (“Appellants”) respectfully request that they be given a second 30-day extension, until July 6, 2021, in which to file their initial brief and designation of matter.

The grounds for this extension are personal, in that the undersigned counsel has a family obligation that will pull her away from the research and drafting of these materials. Specifically, the undersigned has just learned that her mother will be coming for a week-long visit from Virginia—for the first time in over a year because of coronavirus—in order to attend middle school graduation ceremonies for the undersigned’s daughter.

For this reason, as well as because of the complexity of the issues on appeal, Appellants respectfully request that this Court would grant their request for extension until July 6, 2021. Consent to this request has been sought from the Respondents, but as of this writing, counsel for the Respondents has not yet replied.

Respectfully submitted,

FORD WALLACE THOMSON LLC

s/Ainsley F. Tillman

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Attorneys for Appellants

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and

Simmons Family Holdings, LLC,

as a nominal Defendant.

PROOF OF SERVICE

I certify that pursuant to the Supreme Court's Order on the Operation of the Appellate Courts During the Coronavirus Emergency (as Amended), I served the Appellants' Motion for Second Extension on counsel for the Respondents on May 25, 2021, at their email addresses of record with the AIS:

rick@mhalawfirm.com

stacey@mhalawfirm.com

s/ Ainsley F. Tillman
715 King Street
Charleston, SC 29401
(843) 266-1289
Attorney for Appellants

Re: Greg Simmons v. Palmer Simmons//2021-000375

Ainsley Tillman <Ainsley.Tillman@fordwallace.com>

Tue 5/25/2021 4:55 PM

To: rick@mhalawfirm.com <rick@mhalawfirm.com>; stacey@mhalawfirm.com <stacey@mhalawfirm.com>
Cc: Johanna Arias <Johanna.Arias@fordwallace.com>; leslie.vaughan@vmblawfirm.com <leslie.vaughan@vmblawfirm.com>; elaine@mhalawfirm.com <elaine@mhalawfirm.com>; fabiola@mhalawfirm.com <fabiola@mhalawfirm.com>; Ian Ford <ian.ford@fordwallace.com>; mark.berglind@vmblawfirm.com <mark.berglind@vmblawfirm.com>

 1 attachments (66 KB)

2021.05.25 Motion Second Extension.pdf;

Good afternoon, Rick and Stacey,

Attached for service on Respondents in this matter, please find Appellants' Motion for a Second Extension.

Pursuant to the Supreme Court's Order on the Operation of the Appellate Courts During the Coronavirus Emergency, we are filing and serving the same by email, only. Please let me know if you would like a hard copy.

Best,
Ainsley

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Subject: Greg Simmons v. Palmer Simmons//2021-000375

Dear Counsel:

Attached please find correspondence from the Court of Appeals.

Sincerely,

Mary-Caitlyn Singleton
Appeals Specialist II
SC Court of Appeals
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Columbia, SC 29201
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