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Jun 22 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE CHARLESTON COUNTY MASTER IN EQUITY
Mikell R. Scarborough, MIE

Appellate Case No.: 2021-000437

Point Farm Investors, LLC, and American Mitigation Company, LLC.....Appellants

vs.

The State of South Carolina.....Respondent

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

YOU WILL PLEASE TAKE NOTICE that the undersigned, as attorney for the Appellants Point Farm Investors, LLC and American Mitigation Company, LLC, moves the Court for an order granting a second thirty (30) day extension, to July 24, 2021, to file Appellants' Initial Brief in the above-captioned case.

Appellants' Motion is based on the fact that Appellants are involved in an administrative/regulatory process which, once concluded, may moot this appeal. Appellants expect to receive a response from the South Carolina Department of Health and Environmental Control within the next 15 days, which, if positive, would allow Appellants to request dismissal

of this appeal. Respondent State of South Carolina's counsel is aware of these matters and has consented to this extension.

Appellants respectfully request that the Court grant them until July 24, 2021 to file their Initial Brief. Appellants will seek no further extension beyond this request regardless of the outcome of the administrative/regulatory inquiry.

s/ Mary D. Shahid

Mary D. Shahid, SC Bar No. 1794
NEXSEN PRUET, LLC
205 King Street, Suite 400 (29401)
P.O. Box 486
Charleston, SC 29402
Telephone: 843.577.9440
mshahid@nexsenpruet.com

*Attorneys for Appellants
Point Farm Investors, LLC, and American Mitigation
Company, LLC*

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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE CHARLESTON COUNTY MASTER IN EQUITY
Mikell R. Scarborough, MIE

Case No.: 2020-CP-10-01841

Point Farm Investors, LLC, and American Mitigation Company, LLC.....Appellants

vs.

The State of South Carolina.....Respondent

PROOF OF SERVICE

I, Mary D. Shahid, Esquire, hereby certify that on May 24, 2021, I served a copy of the *Motion for Second Extension of Time to File Appellants' Initial Brief* on counsel for the Respondent, via electronic mail and U.S. mail addressed as follows:

J. Emory Smith, Jr., Deputy Solicitor General
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211

s/ Mary D. Shahid
Mary D. Shahid, Esquire

Charleston, South Carolina
June 22, 2021

Mary D. Shahid
Member
Admitted in SC

June 22, 2021

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SC Court of Appeals

VIA US MAIL AND ELECTRONIC FILING
CTAPPEFILINGS@SCCOURTS.ORG

The Honorable Jenny Abbott Kitchings
Clerk, SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211

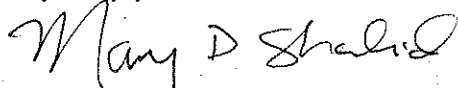
Re: Point Farm Investors, LLC, et al. v. State of South Carolina
Appellate Case No. 2021-000437

Dear Ms. Kitchings:

Enclosed for filing please find the *Motion for Second Extension of Time to File Appellants' Initial Brief*. I am also including my law firm's check in the amount of \$50.00 (fifty dollars) for the filing fee. Please return the duplicate copy provided reflecting the Court's stamp for proof of filing.

Thank you for your assistance in this matter.

Very truly yours,



Mary D. Shahid

MDS/gw

cc: J. Emory Smith, Jr., Esq.

- Austin
- Charleston**
- Charlotte
- Columbia
- Greensboro
- Greenville
- Bluffton / Hilton Head
- Myrtle Beach
- Raleigh