



**Wall Templeton**  
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July 30, 2021

*VIA ELECTRONIC AND U.S. MAIL, [suptcfilings@sccourts.org](mailto:suptcfilings@sccourts.org)*

**RECEIVED**

**AUG -2 2021**

**S.C. SUPREME COURT**

The Honorable Daniel E. Shearouse  
Clerk of Court  
South Carolina Supreme Court  
Post Office Box 11330  
Columbia, South Carolina 29211

Re: *Martha M. Fountain v. Fred's Inc., et al.*  
Civil Action No.: 2010-CP-06-101  
Appellate Case No.: 2017-000688

Dear Mr. Shearouse:

Please find enclosed a copy of Petitioner's Motion to File Consolidated Reply Brief and Extension along with my firm's check for the filing fee in the amount of \$50.00.

If you have any questions regarding the enclosed, please contact me.

Sincerely,

WALL TEMPLETON & HALDRUP, P.A.

Morgan S. Templeton

MST/sds  
enclosures

cc: Regina Hollins Lewis (w/ encl)  
Randi Lynn Roberts, Esquire (w/encl)  
Matthew C. LaFave, Esquire (w/ encl)

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

**RECEIVED**  
AUG -2 2021  
S.C. SUPREME COURT

APPEAL FROM BARNWELL COUNTY  
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Appellate Case No. 2020-000651

Martha M. Fountain and Curtis Fountain ..... Plaintiffs

v.

Fred's, Inc. and Wildevco, LLC, ..... Respondents

v.

Tippins-Polk Construction, Inc. and Rhoad's Excavating Services, LLC..... Third-Party  
Defendants

Of Whom Tippins-Polk Construction, Inc. is the Petitioner.

**MOTION TO FILE CONSOLIDATED REPLY BRIEF & EXTENSION**

On July 21, 2021, the Court granted Respondent, Fred's Inc., ("Fred's") an extension of time to submit its brief up to and including August 16, 2021. On July 23, 2021, the Court granted Respondent, Wildevco, LLC, ("Wildevco") an extension of time to submit its brief up to and including August 2, 2021. Under the present posture, Petitioner will have to file two separate

reply briefs. A response to Wildevco's brief is presently due on August 12, 2021, which is before Fred's brief is even due. A reply to Fred's brief would then be due ten days after its submission which would presently be August 26, 2021.

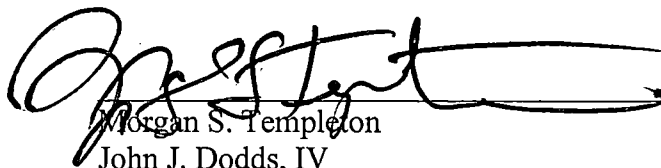
Petitioner is hereby asking for permission from the Court to file one consolidated Reply brief to address the arguments of both Respondents. In order to do that, Petitioner is asking that the deadline to file its Reply brief be set for ten (10) days following the filing of Fred's brief which necessarily entails a request to extend the deadline to respond to Wildevco's brief. If granted, the consolidated Reply brief of Petitioner would be due on or before August 26, 2021, or ten (10) days following the filing of Fred's brief, whichever is shorter. The undersigned has conferred with counsel for Fred's and he consents to this request. The undersigned has attempted to communicate with counsel for Wildevco but has not received a response as to whether this request is opposed.

This motion/request is made to streamline the briefing process, to reduce the need for multiple briefs, and in the interest of economy. It is not requested for the purposes of delay.

Dated this 30<sup>th</sup> day of July, 2021.

Respectfully submitted,

WALL TEMPLETON & HALDRUP, P.A.



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Attorneys for Petitioner

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM BARNWELL COUNTY  
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v.

Tippins-Polk Construction, Inc. and Rhoad's Excavating Services, LLC..... Third-Party Defendants

Of Whom Tippins-Polk Construction, Inc. is the Petitioner.

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**PROOF OF SERVICE**

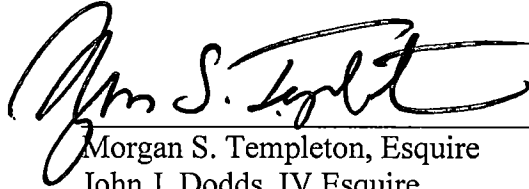
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I, Morgan S. Templeton, of Wall Templeton & Haldrup, do hereby certify that I have served Petitioner's Motion to File Consolidated Reply Brief and Extension, by depositing the same in the United States Mail, properly posted on July 30, 2021, addressed as follows to counsel of record:

Regina Hollins Lewis, Esq.  
Randi Lynn Roberts, Esq.  
Gaffney Lewis & Edwards  
3700 Forest Drive, Suite 400  
Columbia, SC 29204

Matthew C. LaFave, Esq,  
Crowe LaFave, LLC  
Post Office Box 1149  
Columbia, SC 29202

WALL TEMPLETON & HALDRUP, P.A.

A handwritten signature in black ink, appearing to read "Morgan S. Templeton". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Morgan S. Templeton, Esquire  
John J. Dodds, IV Esquire  
145 King Street, Ste. 300  
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Charleston, South Carolina 29402  
843-329-9500  
Attorneys for the Petitioner

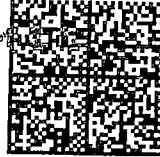


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9211-133030

