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Aug 03 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Honorable Ralph King Anderson III, Chief Administrative Law Judge

Case No. 18-ALJ-17-0443-CC
Appellate Case No. 2021-000219

Colonial Pipeline Company Respondent,

v.

South Carolina Department of Revenue, Abbeville County, Anderson County,
Greenville County, Aiken County, Laurens County and York County Appellants.

**MOTION FOR EXTENSION TO FILE RESPONDENT’S INTIAL BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

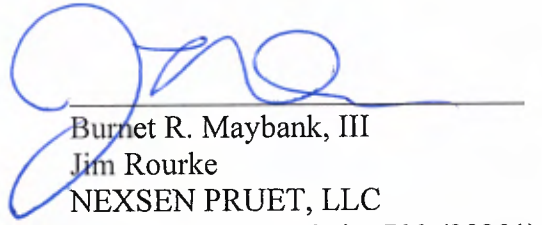
Pursuant to Rules 208(a)(3), 240, and 263 of the South Carolina Appellate Court Rules, Respondent, Colonial Pipeline Company (“Colonial”) moves for a fifteen-day extension of time in which to file and serve Respondent’s Initial Brief and Designation of Matter to be Included in the Record on Appeal in the above-captioned matter. This is the first request for an extension of time by Colonial.

This request is necessitated because the demands and deadlines in the undersigned’s other cases will not enable the undersigned to properly review and respond to the three (3) Initial Briefs filed by Appellants by the current deadline. At this time, the Initial Brief and Designation of Matter are due on August 15, 2021. By the undersigned’s calculations, the extension, if granted, would extend the deadline to August 30, 2021.

We have conferred with counsel for Appellants, and they do not object to this request. This Motion is timely, as it is filed before the original deadline for Colonial to file its Initial Brief. This Motion is based on good cause and not intended for delay or any other improper purpose, nor will the requested extension prejudice the rights of any party. Therefore, Colonial respectfully moves this Court for a fifteen-day extension of time until August 30, 2021, to file and serve its Initial Brief and Designation of Matter to be Included in the Record on Appeal in the above-captioned appeal.

Respectfully Submitted,

August 3, 2021



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PROOF OF SERVICE

I hereby certify I have served the Motion for Extension to File Respondent’s Initial Brief and Designation of Matter to be Included in the Record on Appeal on this 3rd day of August, 2021 upon all parties to this cause by electronic mail as follows:

Counsel for the South Carolina Department of Revenue
Jason Luther, Esquire (Jason.luther@dor.sc.gov)
Marcus D. Antley, III, Esquire (trey.antley@dor.sc.gov)

Counsel for Abbeville, Anderson and Greenville Counties
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Jim Rourke, J.D., LL.M (Tax)
Member

August 3, 2021

VIA ELECTRONIC MAIL AND HAND DELIVERY

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

RE: Colonial Pipeline Company vs. South Carolina Department of Revenue
Appellate Case No. 2021-000219

Dear Ms. Kitchings:

Enclosed please find an original and one copy of the Motion for Extension to File Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal in the above referenced matter. A check for the filing fee will follow via hand delivery. We would appreciate return of a clocked copy to our office via email and/or the enclosed postage-paid return envelope.

We would note, counsel for Appellants have consented to this extension. Please do not hesitate to contact our office should you have any questions.

Very truly yours,



Jim Rourke

JR/msw

Enclosure

cc: Jason Luther, Esq.
Marcus D. Antley, III, Esq.
Michael E. Kozlarek, Esq.
Kimila L. Wooten, Esq.
Walter H. Cartin, Esq.
J. Evan Phillips, Esq.
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