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Aug 12 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

Court of Appeals Case No. 2018-000857
Circuit Court Case No. 2017-CP-42-03283

Daniel Lee Davis, individually
and on behalf of all those
similarly situated, Respondents,

v.

ISCO Industries, Inc., Appellant.

**PETITION FOR 15 DAY EXTENSION UNTIL SEPTEMBER 3, 2021, TO
FILE/SERVE PETITION FOR REHEARING**

The Appellant, ISCO Industries, Inc., pursuant to Rules 221(a), 240, 262(a)(2), and 263(b) SCACR, petitions this Honorable Court for an order extending the time to file its Petition for Rehearing by 15 days until Friday, September 3, 2021. This Petition is the Appellant’s first request for an extension, is made in good faith and not intended for delay, and is based on the following grounds:

1. On August 4, 2021, the Court issued its opinion in this matter affirming the denial of Appellant’s motion to compel arbitration in favor of Respondents, and thereby creating a 15 day deadline of August 19, 2021, for Appellant to file its Petition for Rehearing.

2. Appellant’s counsel was on vacation that week which limited his ability to review and discuss the decision with his client. Appellant’s counsel is also preparing for a

multi-day trial on complicated trade secrets issues that is set to begin on August 30, 2021, in Beaufort County, South Carolina. There are numerous pretrial deadlines in this case.

4. Thus, Appellant's counsel's schedule has limited his ability to properly assess and prepare any motion for rehearing.

Appellant respectfully requests an extension of 15 days to file its Petition for Rehearing, creating a new deadline of September 3, 2021.

Respectfully submitted this 12th day of August, 2021.

s/Jeffrey A. Lehrer
Jeffrey A. Lehrer (SC Bar No. 16687)
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Attorney for Appellant

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PROOF OF SERVICE

This is to certify that on this date, a true and correct copy of Appellant's Petition for 15 Day Extension until September 3, 2021, to file/serve Petition for Rehearing has been served upon opposing counsel, pursuant to Section 13(c) of the Supreme Court's Order 'Re: Operation of the Appellate Courts During the Coronavirus Emergency,' (as amended June 15, 2021), by e-mailing a copy to counsel at their AIS e-mail addresses, as reflected below:

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August 12, 2021

s/Jeffrey A. Lehrer

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SC Court of Appeals

VIA: E-FILE

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: Daniel Lee Davis v. ISCO Industries, Inc.
Appellate Case No. 2018-000857

Dear Ms. Kitchings:

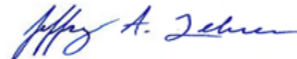
Please find attached Appellant's Petition for 15 Day Extension until September 3, 2021, to file/serve Petition for Rehearing, along with the Proof of Service thereof.

Thank you for your attention to this matter. Please let me know if you have any questions or require additional information.

With highest regards, I remain

Very truly yours,

FORD & HARRISON LLP



JEFFREY A. LEHRER

JAL/hmr

Attachments

cc: Marghretta H. Shisko, Esq. (Harrison White, P.C.) (via: e-mail)
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Mr. John S. Simmons, Esq. (Simmons Law Firm, LLC) (via: e-mail)

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