

RECEIVED

Aug 31 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
Jean Hoefler Toal, Chief Justice (Ret.)

Case No. 2019-CP-40-06243

Appellate Case No. 2021-000648

Peter D. Protopapas, as Receiver for Starr Davis Company, Inc. and Starr Davis Company of South Carolina, Inc., Respondents,

v.

Travelers Casualty and Surety Company f/k/a The Aetna Casualty and Surety Company; The Standard Fire Insurance Company; St. Paul Fire and Marine Insurance Company; The Employers' Fire Insurance Company; Southeastern Agency Group and M.I.A. Company, Inc. individually and as successors to or f/k/a Merrimon Insurance Agency, Inc.; Robert E. Aspray; Nell Ashworth, individually and as personal representative of the Estate of Robert J. Ashworth; Betty C. D'Amico, individually and as Executor of the Estate of Julian D'Amico, Jr.; Kayla Keith, individually and as the personal representative of the Estate of Jerry W. Archer, Sr.; Richard L. Knight II, as personal representative of the Estate of Teddy L. Knight, Sr., and Linda Knight, individually; David D. Rollins; James W. Smith and Frances R. Smith; and Linda J. White, individually and as personal representative of the Estate of Lubert R. White, Jr.,
Defendants,

of which

Travelers Casualty and Surety Company f/k/a The Aetna Casualty and Surety Company and The Standard Fire Insurance Company are the Appellants.

MOTION FOR EXTENSION OF TIME

Respondents Starr Davis Company, Inc. and Starr Davis Company of South Carolina, Inc., by and through their Receiver, Peter D. Protopapas; and Peter D. Protopapas, in his capacity as Receiver for Starr Davis Company, Inc. and Starr Davis Company of South Carolina, Inc., (collectively, “the Receiver”) respectfully request a thirty-day extension of time to file their initial brief and designation of matter. The current deadline for the Receiver’s initial brief and designation of matter is September 17, 2021. With a thirty-day extension, the new deadline for the Receiver’s initial brief and designation of matter would be October 18, 2021. The Receiver requests this extension because of scheduling issues and professional obligations of counsel. This is the Receiver’s first request for an extension of these deadlines. The Receiver requests that the current deadline be held in abeyance until this Court issues an order on this motion.

August 31, 2021

Respectfully submitted,

s/ Shanon N. Peake

s/ Shanon N. Peake

G. Murrell Smith, Jr. (S.C. Bar # 66263)

Jonathan M. Robinson (S.C. Bar # 68285)

Shanon N. Peake (S.C. Bar #102723)

Smith Robinson Holler DuBose and Morgan, LLC

2530 Devine Street, Third Floor

Columbia, South Carolina 29205

(803) 254-5445

ATTORNEYS FOR RESPONDENTS

RECEIVED

Aug 31 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
Jean Hoefler Toal, Chief Justice (Ret.)

Case No. 2019-CP-40-06243

Appellate Case No. 2021-000648

Peter D. Protopapas, as Receiver for Starr Davis Company, Inc. and Starr Davis Company of South Carolina, Inc., Respondents,

v.

Travelers Casualty and Surety Company f/k/a The Aetna Casualty and Surety Company; The Standard Fire Insurance Company; St. Paul Fire and Marine Insurance Company; The Employers' Fire Insurance Company; Southeastern Agency Group and M.I.A. Company, Inc. individually and as successors to or f/k/a Merrimon Insurance Agency, Inc.; Robert E. Aspray; Nell Ashworth, individually and as personal representative of the Estate of Robert J. Ashworth; Betty C. D'Amico, individually and as Executor of the Estate of Julian D'Amico, Jr.; Kayla Keith, individually and as the personal representative of the Estate of Jerry W. Archer, Sr.; Richard L. Knight II, as personal representative of the Estate of Teddy L. Knight, Sr., and Linda Knight, individually; David D. Rollins; James W. Smith and Frances R. Smith; and Linda J. White, individually and as personal representative of the Estate of Lubert R. White, Jr.,
Defendants,

of which

Travelers Casualty and Surety Company f/k/a The Aetna Casualty and Surety Company and The Standard Fire Insurance Company are the Appellants.

PROOF OF SERVICE

I certify that a true copy of the Motion for Extension of Time in this case has been served on the following, this 31st day of August, 2021, by emailing a copy to each attorney listed below using their primary email address listed in the Attorney Information System pursuant to Rule 262 of the South Carolina Appellate Court Rules. Pursuant to subsection (d)(3) of the South Carolina Supreme Court's August 25, 2021 Order, service on the attorneys admitted pro hac vice is accomplished by service on the associated South Carolina lawyer. (Appellate Case No. 2020-000447).

Counsel Served: **E-Mail**

Matthew Todd Carroll – todd.carroll@wbd-us.com
M. Elizabeth O’Neill – elizabeth.oneill@wbd-us.com
Womble Bond Dickinson (US) LLP
1221 Main Street, Suite 1600
Columbia, SC 29201
(803) 454-6504

Harry Lee (*admitted pro hac vice*)
Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, DC 20036
(202) 429-3000

Attorneys for Appellants

Travelers Casualty and Surety Company f/k/a The Aetna Casualty and
Surety Company and The Standard Fire Insurance Company

(Signature page follows)

August 31, 2021

Respectfully submitted,

s/ Shanon N. Peake

s/ Shanon N. Peake

G. Murrell Smith, Jr. (S.C. Bar # 66263)

Jonathan M. Robinson (S.C. Bar # 68285)

Shanon N. Peake (S.C. Bar #102723)

Smith Robinson Holler DuBose and Morgan, LLC

2530 Devine Street, Third Floor

Columbia, South Carolina 29205

(803) 254-5445

ATTORNEYS FOR RESPONDENTS

From: [Shanon Peake](#)
To: ["Carroll, Todd"; "O'Neill, Elizabeth"](#)
Cc: [Jon Robinson](#); [Lindsay Valek](#); [Brian Barnwell](#)
Subject: Appellate Case No. 2021-000648: Starr Davis v. Travelers, et al.
Date: Tuesday, August 31, 2021 9:46:00 AM
Attachments: [Resp Mtn Ext Time 1st, 2.pdf](#)
[POS - Mtn Ext Time, 4.pdf](#)

Good Morning,

Please find attached Respondents' Motion for Extension of Time that we are filing with the Court of Appeals today, served on you pursuant to Rule 262, SCACR.

Thank you,
Shanon

SMITH ROBINSON
Forward thinking. Results driven.

Smith Robinson Holler DuBose and Morgan, LLC

www.SmithRobinsonLaw.com

Shanon Peake

Attorney at Law

E: shanonp@smithrobinsonlaw.com [Columbia Office](#)
P: 803.254.5445 2530 Devine Street
D: 803.704.1102 Columbia, SC 29205
F: 803.254.5007

CONFIDENTIALITY NOTICE: The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer. Intentional interception or dissemination of electronic mail not belonging to you may violate federal or state law.