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Sep 14 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
The Honorable R. Lawton McIntosh

Circuit Court Case No. 2019-CP-07-01246
Appellate Case No. 2021-000375

Greg Marcus Simmons and Jermaine Robinson, both individually and derivatively on behalf of Simmons Family Holdings, LLC, a South Carolina Limited Liability Company,
Respondents,

v.

Palmer E. Simmons, individually and as Trustee of the Charles E. Simmons, Jr. and Rosa G. Simmons Revocable Trust dated May 5, 2016, and Charlesetta S. Aiken,
Appellants,

and

Simmons Family Holdings, LLC,

as a nominal Defendant.

APPELLANTS' MOTION FOR EXTENSION

On September 7, 2021, Respondents filed a Motion to Dismiss this appeal. Pursuant to Rule 240(e), SCACR, Appellants' return to the motion is due on September 20, 2021. Appellants Palmer E. Simmons, individually and as Trustee of the Charles E. Simmons, Jr. and Rosa G. Simmons Revocable Trust dated May 5, 2016, and Charlesetta

S. Aiken (“Appellants”) respectfully request that they be given a 20-day extension (until October 11, 2021) in which to file their return to Respondents’ Motion to Dismiss. The grounds for this extension include that the undersigned counsel has several other appellate briefs due, as well a case that will likely be tried in Charleston County in the next few weeks. Appellants have sought the consent of Respondents and has not received an objection from counsel for the Respondents.

Appellants respectfully request that this Court would give them until October 11, 2021 to file their return.

Respectfully submitted,

FORD WALLACE THOMSON LLC

s/Ainsley F. Tillman

Ian S. Ford, SC Bar No. 12463

Ian.Ford@FordWallace.com

Ainsley F. Tillman, SC Bar No. 70551

Ainsley.Tillman@FordWallace.com

715 King Street

Charleston, SC 29403

(843) 277-2011

Attorneys for Appellants

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Appellants,

and

Simmons Family Holdings, LLC,

as a nominal Defendant.

PROOF OF SERVICE

I certify that pursuant to the Supreme Court's Order Regarding Methods of Electronic Filing and Service, I served the Appellants' Motion for an Extension on counsel for the Respondents, on September 14, 2021, at their email addresses of record with the AIS:

rick@mhalawfirm.com

stacey@mhalawfirm.com

thomas@tktlawyers.com

s/ Ainsley F. Tillman
715 King Street
Charleston, SC 29401

(843) 266-1289
Attorney for Appellants

Simmons Appeal

Ainsley Tillman <Ainsley.Tillman@fordwallace.com>

Tue 9/14/2021 3:09 PM

To: Thomas Rode <thomas@tktlawyers.com>

Cc: Ehrick Haight (Work) <rick@mhalawfirm.com>; stacey@mhalawfirm.com <stacey@mhalawfirm.com>; Ian Ford <ian.ford@fordwallace.com>

 1 attachments (57 KB)

2021.09.14 Motion for Extension of Time to file Return.pdf;

Hello, Thomas, Rick, and Stacey,

I hope you are well.

Attached for service, please find Appellants' Motion for an Extension.

Sincerely,
Ainsley

Ainsley Fisher Tillman
Ford Wallace Thomson LLC
[715 King Street](#)
[Charleston, S.C. 29403](#)

T. 843.266.1289
E. Ainsley.Tillman@FordWallace.com
W. www.FordWallace.com