

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

Sep 27 2021

APPEAL FROM HORRY COUNTY
Court of Common Pleas

SC Court of Appeals

The Honorable Benjamin H. Culbertson
The Honorable William A. McKinnon

Appellate Case No. 2020-000407
Case No. 2017-CP-26-03008

Douglas Kelsey,Plaintiff,

v.

House of Blues Myrtle Beach Restaurant Corporation;
HOB Entertainment, Inc.; and Travis Scott Wagoner,..... Defendants.

AND

House of Blues Myrtle Beach Restaurant
Corporation,Appellant,

v.

Throttlefest, LLC; American Outlaw Spirits Incorporated;
Full Throttle LLC; and Full Throttle Sloon Shine, LLC..... Respondents.

**APPELLANT’S MOTION TO
FILE INITIAL REPLY BRIEF OUT OF TIME**

Appellant House of Blues Myrtle Beach Restaurant Corporation respectfully
moves this Court for an Order granting it leave to file its Initial Reply Brief out of

time. Appellant was granted leave to file its Final Reply Brief with its Final Brief and the Record on Appeal by Order filed September 16, 2021. However, the Court has ordered Appellant to also file its Initial Reply Brief with a motion to file out of time accompanying same.

The grounds for this motion are that the undersigned has been managing a caseload that has grown sizably since May 1 (when it was first believed the pandemic was subsiding and there was a return to normalcy) as well as being understaffed due to key personnel involved in this case being on maternity and paternity leave. The undersigned has done his best to manage a tsunami-level workload this summer and respectfully requests and would appreciate the grace and accommodation of both this Court and opposing counsel in accepting these filings and disposing of this matter on the merits. The undersigned avers no party has or will be prejudiced by the same.

[SIGNATURE PAGE TO FOLLOW]

Respectfully submitted,

COLLINS & LACY, P.C.

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ATTORNEYS FOR APPELLANT HOUSE
OF BLUES MYRTLE BEACH
RESTAURANT CORPORATION

**APPELLANT'S MOTION TO
FILE INITIAL REPLY BRIEF OUT OF
TIME**

Columbia, South Carolina
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Benjamin H. Culbertson, Circuit Court Judge

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PROOF OF SERVICE

Counsel for Appellant House of Blues Myrtle Beach Restaurant Corporation certifies they have served Appellant’s Motion to File its Initial Reply Brief Out of Time on all parties by electronic mail, on September 27, 2021, addressed to the following attorneys of record:

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