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**Oct 13 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
In the Court of Common Pleas

R. Ferrell Cothran, Jr., Circuit Court Judge

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Case No. 2020-CP-10-05443

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Appellate Case No. 2021-001069

Mary and John Doe, Individually and as husband and wife, Respondents,

v.

Massage Envy Franchising, LLC; Jaxh, LLC d/b/a Massage Envy Spa (Long Grove Dr.); and  
Michael E. Hughes, Defendants.

Of whom Massage Envy Franchising, LLC is the Appellant.

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**MOTION FOR EXTENSION OF TIME**

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Appellant Massage Envy Franchising, LLC hereby moves for an extension of time of thirty (30) days to file Appellant's Initial Brief. Appellant's Initial Brief is currently due on Friday, October 22, 2021. An order granting a 30-day extension will make Appellants' Initial Brief now due on or before Monday, November 22, 2021. This is Appellant's first request for an extension of time to file the Initial Brief. Pursuant to Supreme Court Orders 2021-08-25-01 and 2021-08-25-02, Appellant files and serves this motion via email using the email addresses listed in the Attorney Information System, and it will separately send motion filing fee by U.S. Mail.

Respectfully Submitted,

/s Lindsay A. Joyner

John T. Lay, SC BAR NO. 64526  
Lindsay A. Joyner, SC BAR NO. 77437  
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*Attorneys for Appellant Massage Envy  
Franchising, LLC*

October 13, 2021  
Columbia, South Carolina

Other Counsel of Record:

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*Attorneys for Respondents*

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*Attorneys for Jmbh, LLC, Jaxh LLC d/b/a Massage*

*Envy Spa (Long Grove Dr.), and*

*Michael Hughes*

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Michael E. Hughes, Defendants.

Of whom Massage Envy Franchising, LLC is the Appellant.

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**PROOF OF SERVICE**

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This is to certify that the undersigned counsel has caused to be served this day (1) copy of Motion for Extension of Time via electronic mail at the address stated in Supreme Court Order, 2021-08-25-02, Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules, and as set forth below to the following:

David L. Savage, SC BAR NO. 10450  
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*Attorneys for Jmbh, LLC, Jaxh LLC d/b/a Massage  
Envy Spa (Long Grove Dr.) and Michael Hughes*

A copy of the email serving counsel for Respondents is attached hereto.

Respectfully Submitted,

GALLIVAN, WHITE & BOYD, P.A.

/s Lindsay A. Joyner

John T. Lay, SC BAR NO. 64526

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October 13, 2021

*Attorneys for Appellant Massage Envy  
Franchising, LLC*

## Lindsay Joyner

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**From:** Lindsay Joyner  
**Sent:** Wednesday, October 13, 2021 2:09 PM  
**To:** Savage Law Firm Paralegal (paralegal@savagelawchs.com); David Savage; Andrew J. Savage  
**Cc:** John T. Lay (jlay@GWBlawfirm.com); Atkins, Robert A (ratkins@paulweiss.com); Molly Craig; jeanmarie.jennings@hoodlaw.com; Laura Sabo  
**Subject:** RE: Mary Doe , plaintiff, et al VS Massage Envy Franchising Llc , defendant, et al C/A No. 2020CP1005443 [GWB-IMANMAIN.FID868967]  
**Attachments:** Motion for Extension.pdf; 2021.10.13 Ltr to COA re Motion for Extension.pdf

David and Andy,

As permitted by Supreme Court Order 2021-08-25-03, part (d), I am herewith serving via email Appellant Massage Envy Franchising, LLC's Motion for Extension in the above-captioned matter. Shortly, I will be filing these documents with the Court of Appeals as permitted by Order 2021-08-25-03, part (b)(2), and will attach this email to the proof of service of the same. This Motion requests an additional 30 days to file an Initial Brief.

Should you have any issues opening the attachments, please let me know. Thank you.

With warmest regards,

Lindsay



**Lindsay Anne Joyner**  
Partner  
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This message is from the law firm Gallivan, White & Boyd, PA and may be a confidential and privileged legal communication to the named recipient(s). If you receive this message in error or are not the named recipient(s), please notify the sender and delete this email. Thank you.

October 13, 2021

**VIA ELECTRONIC FILING** (ctappfilings@sccourts.org)  
The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1229 Senate Street  
Columbia, South Carolina 29201

**RECEIVED**  
**Oct 13 2021**  
**SC Court of Appeals**

Re: *Mary and John Doe, Individually and as husband and wife, Respondents v. Massage Envy Franchising, LLC; Jaxh, LLC d/b/a Massage Envy Spa (Long Grove Dr.); and Michael E. Hughes, Defendants. Of whom Massage Envy Franchising, LLC is the Appellant.*  
Appellate Case No. 2021-001069  
GWB File No. 9461-3

Dear Ms. Kitchings:

Attached for electronic filing in accordance with Supreme Court Order 2021-08-25-02, part (b)(2), and pursuant to Rule 203 of the South Carolina Appellate Court Rules, please find Motion for Extension of Time of Appellant Massage Envy Franchising, LLC in the above-captioned matter. As permitted by Order 2021-08-25-03, no other copies, whether paper or electronic, are being provided, unless requested by the Court.

By copy of this letter, we are serving counsel for Respondents via email as permitted by Order 2021-08-25-02, part (d)(1), and attached is a proof of service to that effect.

A check in the amount of \$25.00 for the filing fee associated with this Motion for Extension of Time is being forwarded to your attention via U.S. Mail.

If you have any questions or need additional information, please do not hesitate to contact me.

With kind regards, I am

Sincerely,

GALLIVAN, WHITE & BOYD, P.A.



Lindsay A. Joyner

Page 2

LAJ/lhs

Enclosure

cc: David L. Savage  
Andrew J. Savage, III  
Molly H. Craig  
Jean Marie Jennings  
John T. Lay, Jr.  
Robert Atkins