

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

Michael G. Nettles, Circuit Court Judge
Civil Action No. 2020-CP-21-02831

Appellate Case No. 2021-000899

RECEIVED
Nov 05 2021
SC Court of Appeals

Candace Dowell, individually and as the PR of the Estate of Roger Alan Dowell,
Appellant,

v.

Putzmeister America, Inc.; Concrete & Materials Placement, LLC; R.E. Goodson
Construction Co., Inc; Mead & Hunt, Inc.; Benton Concrete & Utilities, LLC; and
Thomas Concrete, Inc., Defendants.

Of Whom Benton Concrete & Utilities, LLC is the Respondent.

**RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE ITS INITIAL BRIEF
AND DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rules 240 and 263(b) of the South Carolina Appellate Court Rules, Respondent requests a thirty (30) day extension of time to file its Initial Brief and Designation of Matter to be included in the Record on Appeal in the above-referenced matter. This is the Respondent's first request for an extension of this deadline. Further, the undersigned has consulted with Appellant's counsel and received their consent for this extension of time. Therefore, Respondent's request for an extension is unopposed by the Appellant.

Respondent's counsel requests this extension of time because the undersigned has been (and is scheduled to be in the coming weeks) traveling extensively both in-state and out-of-state

for other case and firm related matters until November 19, 2021, the deadline for Respondent to file its Initial Brief and Designation of Matter. Appellant filed its Initial Brief on October 20, 2021, and since that time, the undersigned has traveled to Chicago for a multi-day settlement conference and is now in Dallas for several days for deposition. In the coming weeks, the undersigned has previously scheduled meetings and conferences that are out-of-office and require additional travel.

Currently, Respondent's Initial Brief and Designation of Matter to be included in the Record on Appeal are due on November 19, 2021. With the requested thirty (30) day extension, Respondent's Initial Brief and Designation of Matter to be included in the Record on Appeal would be due on Monday, December 20, 2021. Respondent requests that the Court hold the current deadline of November 19, 2021, in abeyance pending the Court's consideration and resolution of this Motion.

Respectfully submitted this 5th day of November, 2021.

MURPHY & GRANTLAND, P.A.

s/ E. Raymond Moore, III

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Attorneys for Benton Concrete & Utilities, LLC

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Michael G. Nettles, Circuit Court Judge
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Candace Dowell..... Appellant,

v.

Putzmeister America, Inc.; Concrete & Materials Placement, LLC;
RE Goodson Construction Co., Inc; Mead & Hunt, Inc.; and
Benton Concrete & Utilities, LLC; and Thomas Concrete, Inc.....Defendants.

Of Whom Benton Concrete & Utilities, LLCRespondent.

PROOF OF SERVICE

The undersigned, as counsel for the Respondent, hereby certifies that on November 5, 2021, the **Respondent's Motion for Extension of Time to File its Initial Brief and Designation of Matter to be Included in the Record on Appeal** was served by United States mail, postage paid, and electronic mail, pursuant to the South Carolina Supreme Court's Order regarding Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules dated August 25, 2021, to the following addresses:

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November 5, 2021

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RE: Candace Dowell, Et al. V. Benton Concrete & Utilities, LLC
Appellate Case No. 2021-000899
Our File No.: 1295-0251

Dear Counsel:

Enclosed for service please find Respondent's Motion for Extension of Time to File Initial Brief and Designation of Matter to be Included in the Record on Appeal.

Very truly yours,

s/E. Raymond Moore, III

E. Raymond Moore, III

ERMIII

Enclosures: Motion for Extension of Time
Proof of Service

From: Helene W. Sessler

Sent: Friday, November 5, 2021 1:20 PM

To: Michael Brickman <mbrickman@rpwb.com>; Nina Fields <nfields@rpwb.com>; Caleb Hodge <chodge@rpwb.com>; 'ghanna@hnblaw.com' <ghanna@hnblaw.com>; 'rruparelia@hsblawfirm.com' <rruparelia@hsblawfirm.com>; 'drawl@hsblawfirm.com' <drawl@hsblawfirm.com>;

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Subject: Dowell v. Putzmeister, et al APPEAL (1295-0251)

Attached please find correspondence to you from Ray Moore along with our client's Motion for Extension of Time to File Initial Brief and Designation of Matter to be Included in the Record on Appeal and Proof of Service that we will be filing with the Court of Appeals.

Sincerely,

Helene Sessler



Murphy & Grantland, P.A.

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