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Nov 15 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, “Starr Davis”) respectfully request a fifteen-day extension of time to file their Return to Appellants’ Motion to Strike. The current deadline for Starr Davis’s Return is November 19, 2021. With a fifteen-day extension, the new deadline for Starr Davis’s Return would be December 6, 2021. Starr Davis requests this extension because of professional obligations of counsel and longstanding vacation plans. This is Starr Davis’s first request for an extension of these deadlines. Counsel for Appellant has consent to this extension. Starr Davis requests that the current deadline be held in abeyance until this Court issues an order on this motion.

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

November 15, 2021

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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 15th day of November, 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
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Harry Lee (*admitted pro hac vice*)
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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)

Respectfully submitted,

s/ Shanon N. Peake

s/ Shanon N. Peake

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

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ATTORNEYS FOR RESPONDENTS

November 15, 2021

From: [Shanon Peake](#)
To: [Carroll, Todd](#); [O'Neill, Elizabeth](#); hlee@step toe.com
Cc: [Brian Barnwell](#); [Jon Robinson](#); [Dot Faulkenberry](#); [Lindsay Valek](#)
Subject: Appellate Case No. 2021-000648 - Starr Davis v. Travelers
Date: Monday, November 15, 2021 1:17:00 PM
Attachments: [Ltr re motion filing fee, 2.pdf](#)
[POS Mtn Ext Time \(Return\), 2.pdf](#)
[Mtn for Ext Time \(Return\), 2.pdf](#)

Good afternoon,

Please find attached a copy of the Motion for Extension of Time that we are filing with the Court of Appeals today.

Thank you,
Shanon

SMITH ROBINSON

Forward thinking. Results driven.

Smith Robinson Holler DuBose and Morgan, LLC

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Shanon Peake

Attorney at Law

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Reply to: Columbia
shanonp@smithrobinsonlaw.com

November 15, 2021

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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SC Court of Appeals

RE: *Peter D. Protopapas, as Receiver for Starr Davis Company, Inc. and Starr Davis Company of South Carolina, Inc. v. Travelers Casualty, et al.*
Appellate Case No. 2021-000648
Our File No. 19-071

Dear Ms. Kitchings:

Please find enclosed a check representing the filing fee for the Motion for Extension of Time filed on behalf of Respondent Peter D. Protopapas, as Receiver for Starr Davis Company, Inc. and Starr Davis Company of South Carolina, Inc. via email today. Please let me know if anything further is needed.

Sincerely,



Shanon N. Peake

SNP/df

Enclosure

cc: All counsel of record via email only without enclosure