

STATE OF SOUTH CAROLINA
In The Supreme Court

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Nov 19 2021

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas
D. Garrison Hill, Circuit Judge

S.C. SUPREME COURT

Appellate Case No. 2019-000816
Case No. 2013-CP-42-3915

Angie Keene, Individually and as Personal Representative
of the Estate of Dennis Seay, Deceased, and Linda Seay,

Respondents,

v.

CNA Holdings, LLC,

Petitioner.

MOTION FOR EXTENSION

Pursuant to Rule 240, SCACR, Respondents hereby move the Court for an Order granting them a nine (9) day extension within which to file their Brief in Response to the Court's October 11, 2021 Order.

Respondents' Brief is currently due on December 6, 2021. The deadline has not been previously extended. If the Court grants the requested extension, the new deadline would be December 15, 2021.

This request is based upon the following grounds:

- Respondents' lead appellate counsel, Bert G. Utsey, III, is primarily responsible for drafting Respondents' Brief.
- Mr. Utsey is also lead appellate counsel in *The Protestant Episcopal Church in the Diocese of South Carolina, et al. v. The Episcopal Church, et al.*, Appellate Case No.

2020-000986, for which oral argument is scheduled on December 8, 2021. Mr. Utsey has been and will be devoting substantial time in the immediate future to prepare for that oral argument.

- As president of the South Carolina Association for Justice, Mr. Utsey is committed to preside over that association's Auto Torts seminar and related meetings in Atlanta, Georgia from December 3-6, 2021.
- Mr. Utsey physically relocated his office on November 11-12, 2021 with little advance notice. As a result, Mr. Utsey lost two days of work that he could have otherwise devoted to working on Respondents' Brief.
- Mr. Utsey's other case load between the filing of Appellant's Brief and the current deadline for Respondents' Brief has been demanding, including multiple mediations and completing and filing on November 18, 2021 of a brief in this Court in *Connelly v. Main Street America*, Appellate Case No. 2021-00005.

Undersigned counsel has consulted with counsel for the Petitioner CNA Holdings, LLC, who have no objection to this request for an extension of time.

Respectfully submitted

CLAWSON FARGNOLI UTSEY, LLC

/s/ Bert G. Utsey, III

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November 19, 2021

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