

No. 316A14

NORTH CAROLINA SUPREME COURT

* * * * *

Beverage Systems of the)
Carolinas, LLC,)
)
Plaintiff)
)
vs.)
)
Associated Beverage Repair,)
LLC, Ludine Dotoli and)
Cheryl Dotoli,)
)
Defendants-Appellees)

FROM IREDELL COUNTY
12 Cvs 1519
COA 14-188

* * * * *

MOTION FOR EXTENSION OF TIME TO FILE
DEFENDANTS'-APPELLANTS' BRIEF

* * * * *

Defendants-Appellants move pursuant to Rule 37, N.C. Rules App. Proc., for an extension of time until October 16, 2014, as the deadline for the filing by Defendants-Appellants of their Brief in this cause. Movants show:

1. Counsel for Defendants-Appellants is involved in various cases in the Supreme Court of North Carolina, the Fourth Circuit Court of Appeals and other civil matters that have greatly imposed on counsel's time of research, writing and related matters over the past six weeks.

2. Counsel believes that in order to provide to the Supreme Court in this cause a comprehensive Brief that will best address for the Court's benefit the legal issues raised, counsel needs at

least an additional fourteen (14) days for the purpose of preparing the Brief for the Defendants-Appellants.

3. This Court has the authority under Rule 27i(c), N.C. Rules App. Proc., to grant an extension of time for service by Defendants-Appellants in this cause for good cause shown.

4. Counsel for Defendants-Appellants believes that justice would be served and no party would be prejudiced by the Court's allowance of an extension of time until October 16, 2014, for the filing by Defendants-Appellants of their Brief in this Court.

Whereas, undersigned counsel moves on behalf of Defendants-Appellants that the Court in its discretion extend the time for filing of their Brief in this cause to and including October 16, 2014.

This 19 day of September, 2014.

EISELE, ASHBURN, GREENE & CHAPMAN, PA

By: 

Douglas G. Eisele
N.C. State Bar #4930
Attorneys for Defendants-
Appellees
320 W. Broad Street
Statesville, NC 28677
Telephone: 704/878-6400
FAX No.: 704/924-9727

CERTIFICATE OF SERVICE

The attached Motion for Extension of Time to File Defendants-Appellants' Brief was served upon Plaintiff-Appellee by mailing a copy thereof to its attorneys of record as follows:

Mr. Kevin C. Donaldson
Mr. Dennis W. Dorsey
Jones Childers McLurkin Donaldson
P.O. Box 3010
Mooresville, NC 28115

This ____ day of September, 2014.

EISELE, ASHBURN, GREENE & CHAPMAN, PA

By: 

Douglas G. Eisele
N.C. State Bar #4930
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Appellees
320 W. Broad Street
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Supreme Court of North Carolina

CHRISTIE SPEIR CAMERON ROEDER, Clerk

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From N.C. Court of Appeals
(14-185)
From Iredell
(12CVS1519)

24 September 2014

Mr. Douglas G. Eisele
Attorney at Law
EISELE, ASHBURN, GREENE & CHAPMAN, PA
320 W. Broad Street
P.O. Box 1108
Statesville, NC 28677

RE: Beverage Systems of The Carolinas, LLC v Associated Beverage Repair, LLC, et al. - 316A14-1

Dear Mr. Eisele:

The following order has been entered on the Motion for Extension of Time to File Brief filed on the 22nd of September 2014 by Defendants:

"Motion Allowed by order of the Court in conference, this the 23rd of September 2014."

s/ Hunter, J.
For the Court

Defendants shall have up to and including the 16th day of October 2014 to file and serve his/her brief with this Court.

Christie Speir Cameron Roeder
Clerk, Supreme Court of North Carolina


M. C. Hackney
Assistant Clerk, Supreme Court Of North Carolina

Copy to:

North Carolina Court of Appeals

Mr. Kevin C. Donaldson, Attorney at Law, For Beverage Systems of the Carolinas, LLC - (By Email)

Mr. Dennis W. Dorsey, Attorney at Law - (By Email)

Mr. Douglas G. Eisele, Attorney at Law, For Associated Beverage Repair, LLC, et al - (By Email)

West Publishing - (By Email)

Lexis-Nexis - (By Email)