

From: [Rourke, Jim](#)
To: [Kitchings, Jenny](#); [Elisabeth Shields](#); [Allen, Claire](#); [Maybank, Burnet R. III](#)
Subject: RE: McEntire Produce v. SCDOR 2019-001933 [IWOV-NPCOL1.FID1782930]
Date: Friday, August 19, 2022 9:47:56 AM
Attachments: [image001.png](#)
[McEntire v. SCDOR - Conf. Letter.pdf](#)

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Ms. Kitchings:

Counsel for Petitioner filed the attached response to the Court's August 10, 2022 letter yesterday. To clarify, counsel for Petitioner is scheduled for a 5-day hearing at the Administrative Law Court from Wednesday, November 30 – Tuesday, December 6.

Best,

Jim

Jim Rourke
Nexsen Pruet, LLC
T: 803.540.2030, C: 803.414.1443
JRourke@nexsenpruet.com



From: Kitchings, Jenny <jkitchings@sccourts.org>
Sent: Friday, August 19, 2022 9:39 AM
To: Elisabeth Shields <Elisabeth.Shields@dor.sc.gov>; Allen, Claire <CAllen@sccourts.org>; Maybank, Burnet R. III <BMaybank@nexsenpruet.com>; Rourke, Jim <JRourke@nexsenpruet.com>
Subject: RE: McEntire Produce v. SCDOR 2019-001933

{EXTERNAL EMAIL}

Dear Counsel,

Thank you for your responses to our inquiry. We will not schedule this case for November. However, due to the age of the case, it will receive priority in scheduling for December. To date, we have not received any conflicts in response to our August 10, 2022 letter.

Warmly,

Jenny

From: Elisabeth Shields <Elisabeth.Shields@dor.sc.gov>

Sent: Friday, August 19, 2022 9:03 AM

To: Kitchings, Jenny <jkitchings@sccourts.org>; Allen, Claire <CAllen@sccourts.org>;
bmaybank@nexsenpruet.com; jrouke@nexsenpruet.com

Subject: RE: McEntire Produce v. SCDOR 2019-001933

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I apologize. I have a hearing at the ALC on November 15th in the matter of *Nakita Kinloch v. SCDOR*, Docket No. 22-ALJ-17-0174-CC and I anticipate using the weeks prior to prepare. I will also be before this Court presenting oral arguments in *Shirley Whitfield v. SCDOR*, Appellate Case No. 2019-001748, on one of the following dates: November 7, 8, 9, 10, 16, or 17. The current status of the *Whitfield* matter says it is "On Roster (Oral Argument)," but as of today's date, I do not know which one of these November dates the oral argument will be.

Because of the above, counsel for the Department is unavailable for oral arguments in *McEntire Produce v. SCDOR*, Appellate Case No. 2019-001933, for either November 8th or November 16th.



Elisabeth Shields

Associate Counsel

Office of General Counsel

803-898-5576 | Elisabeth.Shields@dor.sc.gov

South Carolina Department of Revenue | dor.sc.gov

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From: Kitchings, Jenny <jkitchings@sccourts.org>

Sent: Friday, August 19, 2022 8:54 AM

To: Elisabeth Shields <Elisabeth.Shields@dor.sc.gov>; Allen, Claire <CAllen@sccourts.org>;
bmaybank@nexsenpruet.com; jrouke@nexsenpruet.com

Subject: RE: McEntire Produce v. SCDOR 2019-001933

Dear Ms. Shields,

Could you explain the nature of your conflicts under Rule 601, SCACR?

Warmly,

Jenny

From: Elisabeth Shields <Elisabeth.Shields@dor.sc.gov>
Sent: Thursday, August 18, 2022 1:23 PM
To: Allen, Claire <CAllen@sccourts.org>; bmaybank@nexsenpruet.com; jrouke@nexsenpruet.com
Cc: Kitchings, Jenny <jkitchings@sccourts.org>
Subject: RE: McEntire Produce v. SCDOR 2019-001933

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Good afternoon.

Counsel for the Department is unavailable for either of the below dates.

Thank you.



Elisabeth Shields
Associate Counsel
Office of General Counsel
803-898-5576 | Elisabeth.Shields@dor.sc.gov
South Carolina Department of Revenue | dor.sc.gov

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From: Allen, Claire <CAllen@sccourts.org>
Sent: Thursday, August 18, 2022 1:21 PM
To: Elisabeth Shields <Elisabeth.Shields@dor.sc.gov>; bmaybank@nexsenpruet.com; jrouke@nexsenpruet.com
Cc: Kitchings, Jenny <jkitchings@sccourts.org>
Subject: McEntire Produce v. SCDOR 2019-001933

Dear Counsel:

You received a letter from this office indicating the case was not scheduled for oral argument in November 2022 and asking for possible conflicts for December 2022.

It now appears the case may be able to be scheduled in November on either November 8 or November 16.

You are requested to advise by return email if you can appear for possible argument on either of these dates.

Thank you,

Claire Allen
Chief Deputy Clerk
S.C. Court of Appeals
callen@sccourts.org

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