

From: [Kitchings, Jenny](#)
To: [Verdin, Letitia H.](#)
Cc: [Zachary S. Brown](#); [Daniel Draisen](#); [Staley, Denesha](#)
Subject: RE: Kevin Dwayne Chavis v. Vansy Saensane and Ra Cha, Inc. d/b/a Bangkok 2023-000440
Date: Thursday, May 11, 2023 8:33:23 AM
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)
[image007.png](#)

Dear Judge Verdin and Counsel,

Thank you so much for your emails. Pursuant to Rule 207, SCACR, "Unless the parties otherwise agree in writing, appellant must order a transcript of the entire proceedings below." We thank counsel for their emails below, which I interpret as consent to proceeding with the appeal without ordering the transcript. We will update our records to indicate the appellant's initial brief and designation of matter are due within 30 days of the date of this email.

Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
Ph: (803) 734-1891

From: Verdin, Letitia H. <lverdinh@sccourts.org>
Sent: Wednesday, May 10, 2023 6:04 PM
To: Kitchings, Jenny <jkitchings@sccourts.org>
Cc: Zachary S. Brown <Zachary.Brown@mgclaw.com>; Daniel Draisen <daniel@injuredsc.com>
Subject: Fwd: Kevin Dwayne Chavis v. Vansy Saensane and Ra Cha, Inc. d/b/a Bangkok (2021-CP-23-01487)

Dear Ms. Kitchings:

After consultation with all parties, we have agreed that this appeal may be decided based on briefs alone because the oral arguments would not clarify the issues beyond what is contained in each party's brief. However, should the panel disagree, I am certainly willing to undertake a reconstruction of the record.

Thank you,
Letitia Verdin

Sent from my iPhone

Begin forwarded message:

From: "Zachary S. Brown" <Zachary.Brown@mgclaw.com>
Date: May 10, 2023 at 11:52:27 AM EDT
To: Daniel Draisen <daniel@injuredsc.com>, "Verdin, Letitia" <lverdinh@sccourts.org>
Cc: Helen Hiser <helen.hiser@mgclaw.com>, "Verdin, Letitia Law Clerk ()" <lverdinh@sccourts.org>, steve@krauselaw.org, Chris Wray <Chris.Wray@mgclaw.com>
Subject: RE: Kevin Dwayne Chavis v. Vansy Saensane and Ra Cha, Inc. d/b/a Bangkok (2021-CP-23-01487)

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Our (Defendant Ra Cha, Inc.'s) preference would be to move forward on briefs alone as well. I believe all the arguments offered at the hearing are captured in those filings. But we will of course defer to you Judge Verdin.

Thank you,
Zach Brown



Zachary Brown, Attorney
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Greenville, SC 29601
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Please consider the environment before printing this email.

From: Daniel Draisen <daniel@injuredsc.com>
Sent: Wednesday, May 10, 2023 11:50 AM
To: Verdin, Letitia <lverdinh@sccourts.org>; Zachary S. Brown <Zachary.Brown@mgclaw.com>
Cc: Helen Hiser <helen.hiser@mgclaw.com>; Verdin, Letitia Law Clerk () <lverdinh@sccourts.org>; steve@krauselaw.org; Chris Wray <Chris.Wray@mgclaw.com>
Subject: RE: Kevin Dwayne Chavis v. Vansy Saensane and Ra Cha, Inc. d/b/a Bangkok (2021-CP-23-01487)

Frankly, I do believe that our briefs essentially covered our oral arguments. There were some anecdotal discussions and finer points of the law arguments, but the substance of those I believe is contained within the briefs. Frankly, I could not recall everything that was stated to the court beyond what is in my brief and in my Motion to Reconsider. I believe the court could go on the briefs submitted and the motion to reconsider and reply. I will defer to you Judge. Thanks, Daniel

Daniel L. Draisen, Esq.
Attorney



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-----Original Message-----

From: Verdin, Letitia

Sent: Wednesday, May 10, 2023 11:28 AM

To: Zachary S. Brown <Zachary.Brown@mgclaw.com>

Cc: Daniel Draisen <daniel@injuredsc.com>; Helen Hiser <helen.hiser@mgclaw.com>; Verdin, Letitia Law Clerk () <lverdinc@sccourts.org>; steve@krauselaw.org; Chris Wray <Chris.Wray@mgclaw.com>

Subject: Re: Kevin Dwayne Chavis v. Vansy Saensane and Ra Cha, Inc. d/b/a Bangkok (2021-CP-23-01487)

I am happy to instruct the court to go on briefs alone, reconstruct the hearing from affidavits, or schedule a new hearing. Please let me know what each party prefers. Thanks!

Sent from my iPhone

On May 10, 2023, at 10:10 AM, Zachary S. Brown <Zachary.Brown@mgclaw.com> wrote:

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Good Morning Judge Verdin,

In light of the Court of Appeals Order, would you like the parties to submit affidavits of their recollections of the summary judgment motion hearing and the arguments presented? Let us know how you would like us to help reconstruct the record.

Thank you,
 Zach Brown

<L.png>

Zachary Brown, Attorney

zachary.brown@mgclaw.com <<mailto:zachary.brown@mgclaw.com>>

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Greenville, SC 29601

Main:864-239-4000 | Direct:864-239-4021 | Fax:864-242-3199 VCARD<https://secure-web.cisco.com/1YR45m9Oa7bZVYJuL20D6bFhICvP2QmN7lRF78uk77frJuOa8dL9aegxdmV-Glzk8ntjeI9ehhkRitc70_lu5iK_7CDqqVSYydEDN51YIPvVR6pHOkwEGLAGh5lQIYoo1EUM02qJaGOff4hb4mEbAcBlevlJObpM-pzd0c_lRWsDy1g9EcPH2I2sWdkqhlR_0AaSEeJw8OgQ1Hpvz-kk8m3h-PiflFCdTjDexrcuHG5Zc9ieUjRWNUp5w-Rldd6OA4gqgsZRv49Js31_7eJaheYl3MdD0452GKp99C_oylitu7c9RZlth8FKXSVBzqUNWJwFH8EOM1OlyjErhUYZzllW4nUAqRaYU4KXSLNc2KZxulo6xUhdYUkFenyq81r8TPOffPGOPvuogm-Ogtu6A3iUplsLkojom7zcThmpM2AW-mTe6dsObn6k59BkKAz4AOoG7FTcg4SE2AnNMPg/https%3A%2Fmgclaw.com%2Ewp-content%2Fuploads%2F2017%2F12%2FZacharyBrown.vcf>

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From: Daniel Draisen <daniel@Injuredsc.com>
Sent: Wednesday, May 10, 2023 9:18 AM
To: Helen Hiser <helen.hiser@mgclaw.com>; Verdin, Letitia <lverdini@sccourts.org>; Verdin, Letitia Law Clerk () <lverdinc@sccourts.org>
Cc: 'steve@krauselaw.org' <steve@krauselaw.org>; Zachary S. Brown <Zachary.Brown@mgclaw.com>; Chris Wray <Chris.Wray@mgclaw.com>
Subject: RE: Kevin Dwayne Chavis v. Vansy Saensane and Ra Cha, Inc. d/b/a Bangkok (2021-CP-23-01487)
Importance: High

Dear Judge Verdin, Helen, Zach, and Chris: Pursuant to the attached Order from the Court of Appeals, I am reaching out to you and ask that Judge Verdin schedule such hearings as she deems appropriate to reconstruct the record in this matter.
If Judge Verdin determines that reconstruction is not possible, the Order instructs that she is to notify the Clerk of the Court of Appeals.

I would ask that opposing counsel and Judge Verdin CONFIRM receipt of this email communication.

With kind regards, Daniel

Daniel L. Draisen. Esq.
Attorney
<image001.jpg>

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[<image002.png>](http://secure-web.cisco.com/1zTGN4WDs-Xs1-ak2rir_X-WsVxyE90CjCLumu7i0iHcM8LUhvwKS9i4TODldVs6k6a8A2L1UNpup7T0d23j77jHMSf33heVtuPhY5JTTqjvRyw11vL175FZ1EZpT5EP981nbD8M8rkfBUotaz-SN_2188anCjD9d2LD1LOj9EExcjoUDyVHh-S9XeMt2EQ6rAlDmHwdlbzT0uX9xi9_tHlIs0oNvZY4ghDB3LEn7RyTAMHdbkoGwDoukSzM_nbW_YfshTV1ksYCYz0458teOdnbRu677af6sGr7A37z8abP6DRfux-s6VxCClSAuJfKn0RvOh5xdSU6P0ZmQIMET4PkCaf0je1GUkS1mCs0BmNuyzqD4LMyl7VlbrmZzjR7h0gHIEr24LYSHI8oXpU2Qy5y8MCFmtFvrMkjinG89tONLKQTOgfzrevRtwDXyE4B2N0m23andK6f1aiw-tw/http%3A%2F%2Fwww.injuredsc.com></p></div><div data-bbox=)

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