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June 9, 2023
VIA EMAIL ONLY

Hon. Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

RECEIVED
Jun 09 2023
SC Court of Appeals

Re: Builders FirstSource - Southeast Group, LLC v. Hurley Services, LLC
Appellate Case No.: 2021-000290
Our File No.: 12313 1 SPH

Dear Ms. Kitchings:

This will respond to your letter of June 2nd, 2023, wherein you advised of potential arguments, to be conducted before the Court of Appeals, in September and October 2023.

Of the dates set forth within your letter, I have significant conflicts on the following:

- a) September 11th, 12th, 13th, and 14th;
- b) October 10th, 11th, and 12th.

The entire month of September 2023 has been set aside for trial in the matter of Zitek vs DR Horton, a class action involving allegations of deficiencies and design, construction, and/or component materials of 221 residences in the Rose Hill community, in Anderson County, South Carolina.

During the period of October 10th, 11th, and 12th, I will be out of the country, per long standing plans.

In light of the foregoing, I would request the consideration of the Court in not scheduling oral argument on this matter during the month of September, or during the period of October 10th, 11th, or 12th, 2023.

In the event, of course, that you require any additional information, please feel free to contact me.

Thanking you for your continuing consideration,
With kindest regards, I am

Yours truly,

HOWELL, GIBSON AND HUGHES, P.A.

s/Stephen P. Hughes

Stephen P. Hughes
SPH/sc
cc: All Counsel of Record