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February 2, 2024

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S.C. SUPREME COURT

The Honorable Patricia A. Howard
Clerk of Court
South Carolina Supreme Court
1231 Gervais Street
Columbia, SC 29201

Re: Beverly D. Jolly v. Fisher Controls International, LLC & Crosby Valve, LLC
Case No.:2022-000272

Dear Ms. Howard:

Pursuant to Rule 208(b)(7), SCACR, Respondents offer the following pertinent authority that was issued after the briefing closed in this matter: *Green v. Bauerle*, 441 S.C. 408, 894 S.E.2d 303 (Ct. App. 2023), *reh'g denied* (Nov. 21, 2023). The *Green* case is pertinent to the issue of setoff of pretrial settlement proceeds addressed at pages 29-37 of Respondents' Brief. It holds that settlement funds paid jointly to two parties without allocation evidences the parties' intention to allocate the funds equally among their claims. *Id.* at 416-17, 894 S.E.2d at 308.

Thank you for the Court's consideration of this subsequently decided authority. By copy of this letter, I am serving all counsel of record via email only.

Sincerely,

s/Theile B. McVey
Theile McVey

TBM/ecm

cc: C. Mitchell Brown, Esquire
A. Mattison Bogan, Esquire
Morgan Spires, Esquire
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