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RECEIVED
Feb 21 2024
SC Court of Appeals

February 21, 2024

Via Electronic Submission:

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Charleston SC Property Holdings, LLC, et al., *Respondents* v. Rittenberg OP, LLC, et. al., *Appellants*
Appellate Case No. 2023-001494

Dear Ms. Kitchings:

I represent the Respondents, Charleston SC Property Holdings, LLC, and Hanahan SC Property Holdings, LLC, in this appeal. I have received the Appellants' Motion for Extension of Time filed on February 20 ("Motion"), which requests a 30-day extension of time for the Appellants to file an Initial Brief and the Designation of Matter to be Included in the Record on Appeal. The Respondents are concerned about the Motion and plan to file a response to the Motion within the time allowed by Rule 240(e).

The Court's February 9 letter to Appellants' counsel required that the Appellants advise the Court of the status of the transcript within 10 days, or the appeal would be dismissed. The Motion fails to address the status of the transcript. The purpose of this letter is to inform the Court that I have not received any correspondence from either Appellants' counsel or the court reporter regarding the transcript since the Appellants' October 10, 2023 filing with the Court. I spoke today with Michael Weaver, who is counsel for the Respondent Receiver. Mr. Weaver has not received any correspondence from either Appellants' counsel or the court reporter regarding the transcript since October 10, 2023.

Please advise whether the Court intends to dismiss the appeal in accordance with the Court's February 9 letter. If so, that would moot the need for the Respondents to respond to the Motion.

Thank you for your assistance.

Sincerely,


Charles P. Summerall, IV

cc: Michael Henry Weaver, Esq. (via e-mail) (michael.weaver@rogerstownsends.com)
Christopher Todd Brumback, Esq. (via e-mail) (chris@brumbacklangley.com)
Ross Conrad DuRant, Esq. (via e-mail) (rossdurant@lawofficesofdurant.com)
Aharon S. Kaye, Esq. (via e-mail) (akaye@gutnicki.com)
Noah Siegel, Esq. (via e-mail) (nsiegel@gutnicki.com)
James Whittington Clement, Esq. (via e-mail) (clement@wglfirm.com)

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable George M. McFaddin, Jr., Circuit Court Judge
The Honorable Roger M. Young, Sr., Circuit Court Judge

Trial Court Case No. 2023-CP-10-01512
Appellate Case No. 2023-001494

Charleston SC Property Holdings, LLC, Hanahan SC Property Holdings, LLC, and Michael Flanagan, Receiver.....Respondents,

v.

Rittenberg OP, LLC, Hanahan OP, LLC, Goldner Capital Management, LLC, SC Two OP Holdings, LLC, and Samuel Goldner.....Appellants.

PROOF OF SERVICE

I certify that I served a letter dated February 21, 2024 written by Charles Summerall on behalf of Charleston SC Property Holdings, LLC and Hanahan SC Property Holdings, LLC, and addressed to the Clerk of Court for the Court of Appeals, to counsel of record for the above-referenced parties using the following email addresses on February 21, 2024:

Christopher Todd Brumback, Esq.
Brumback & Langley, LLC
chris@brumbacklangley.com

Michael Weaver, Esq.
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rossdurant@lawofficesofdurant.com

A copy of the email sent to the above-referenced counsel is attached.

WALKER GRESSETTE & LINTON LLC

s/Charles P. Summerall
Charles P. Summerall, IV (SC Bar #5433)
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Charleston, SC 29412
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*Attorney for Charleston SC Property Holdings, LLC, and
Hanahan SC Property Holdings, LLC*

Elisha Wetmore

From: Charles Summerall
Sent: Wednesday, February 21, 2024 1:11 PM
To: Michael H. Weaver; Chris Brumback; James W. Clement; Noah Siegel; Aharon Kaye; Ross Durant
Cc: Elisha Wetmore
Subject: RE: Charleston SC Property Holdings, LLC v. Rittenberg OP, LLC (2023-001494) - correspondence to Clerk of Court
Attachments: Letter to Clerk Kitchings RE Motion for Extension of Time 2-21-2024.pdf

Counsel,

Attached please find and hereby served on you is a copy of a letter the Respondents are sending to and filing with the Clerk of Court for the Court of Appeals today in connection with the above-referenced matter. The letter and proof of service will be filed shortly.

Regards,

Charles



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