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RECEIVED

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**VIA HAND DELIVERY**

**S.C. Supreme Court**

The Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
1231 Gervais Street  
Columbia, SC 29201

Re: *Diane Kirven, on behalf of herself and all others similarly situated v. Central States Health & Life Company of Omaha, et al.*  
Appellate Case No.: 2013-000273  
GWB No.: 7009-1

Dear Mr. Shearouse:

I write in response to the Court's request for scheduling conflicts with the November 2013 term of Court. As counsel of record for Defendants Central States Health & Life Company of Omaha and Philadelphia American Life Insurance Company of America, please be advised that I have a previously scheduled trip out of the country on November 6 and 7. I do not have a scheduling conflict with the other proposed dates by the Court of November 5, 19 and 20.

If you have any additional questions, please do not hesitate to contact me

Sincerely,

John T. Lay, Jr.

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JTL/dg

Enclosure

cc: Richard A. Harpootlian, Esq.  
Graham L. Newman, Esq.  
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