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Dec 11 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Bentley D. Price, Circuit Court Judge

Case No. 2012-CP-10-00580

Thomas H. MorganRespondent,

v.

John L. Gilbert, Stuart L. Fred, Bella Vista Partnership, A Texas General Partnership,
Bomasada Group, Inc., A Texas Corporation, Bomasada Investment Group II, LLC, A Texas
Limited Liability Company, Lauralis Management, Inc., A Texas Corporation, and 150 Bee
Street, LLC, A South Carolina Limited Liability Company..... Defendants,

Of which John L. Gilbert, Stuart L. Fred, Bella Vista Partnership, A Texas General
Partnership, Bomasada Group, Inc., A Texas Corporation, Bomasada Investment Group
II, LLC, A Texas Limited Liability Company, and Lauralis Management, Inc., A Texas
Corporation are the Appellants.

APPELLANTS' REPLY TO RESPONDENT'S
RETURN TO MOTION OF APPELLANTS
FOR EXPEDITED HEARING

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Attorneys for Appellants
[Except 150 Bee Street, LLC]

December 11, 2024

On November 26, 2024, the Appellants filed a one-half page motion requesting an expedited hearing/oral argument in this case. In their motion, Appellants did not reassert any arguments already covered in their briefs to this Court.

In Respondent's Return to Appellant's Motion, Respondent 1) agreed to expedite the case, 2) proposed waiving oral argument, and 3) reasserted arguments from his brief to this Court.

Appellants file this reply solely to assert that they do not consent to waiving oral argument.

This attorney has been lead counsel in some 30-35 appeals to this Court, the South Carolina Supreme Court, and/or the Fourth Circuit Court of Appeals. Counsel believes that oral argument serves several useful purposes.

1) Oral argument provides counsel with a chance to engage directly with the Court, allowing counsel to clarify any points left unresolved in the briefs.

2) Oral argument allows counsel to make sure the Court understands the key issues in the case by giving counsel the opportunity to highlight what counsel thinks is most important in the appeal.

3) Oral argument provides counsel the opportunity to sum up what they wrote in their briefs and present their case in a persuasive manner.

4) Perhaps most important of all, oral argument provides the Court the opportunity to ask pointed and potentially decisive questions.

The only reason to forbear oral argument taking thirty minutes of this Court's time is the expense to the parties of preparing for the argument and appearing before this Court.

Given the expense to both Appellants and Respondent incurred since Respondent first filed suit on January 26, 2012, Appellants submit the additional expense of oral argument is too insignificant to consider.

Respectfully,

WOMBLE BOND DICKINSON (US) LLP

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
The Honorable Bentley D. Price, Circuit Court Judge

Case No. 2024-000322

Thomas H. MorganRespondent,

v.

John L. Gilbert, Stuart L. Fred, Bella Vista Partnership, A Texas General Partnership, Bomasada Group, Inc., A Texas Corporation, Bomasada Investment Group II, LLC, A Texas Limited Liability Company, Lauralis Management, Inc., A Texas Corporation, and 150 Bee Street, LLC, A South Carolina Limited Liability Company, Defendants,

Of which John L. Gilbert, Stuart L. Fred, Bella Vista Partnership, A Texas General Partnership, Bomasada Group, Inc., A Texas Corporation, Bomasada Investment Group II, LLC, A Texas Limited Liability Company, and Lauralis Management, Inc., A Texas Corporation are the Appellants.

PROOF OF SERVICE

I do hereby certify that on the 11th day of December, 2024, I served a copy of the within ***Appellants Reply to Respondents Return to Motion of Appellants for Expedited Hearing*** on all counsel of record addressed as follows:

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