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October 2, 2013

RECEIVED
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S.C. Supreme Court

The Honorable Brenda Shealy
Clerk of Court, South Carolina Supreme Court
P. O. Box 11330
Columbia, South Carolina 29211

Re: *Ashley II of Charleston, LLC vs. PCS Nitrogen, Inc., et. al.*
United States District Court, Charleston Division
Civil Action No: 2:05-cv-2782-MBS
Appellate Case No: 2013-001766

Dear Ms. Shealy:

I represent J. Henry Fair, Jr., J. Holcombe Enterprises, LP and Charles Lane and Edwin Cooper, III, as Personal Representatives of the Estate of James H. Holcombe in the above referenced proceedings in the United States District Court.

In response to your letter of August 26, 2013, my clients will not be participating in the briefing of the Certified Question before the South Carolina Supreme Court and, as such, will not be making an appearance before the Court.

Please advise if you require any further advice about this issue.

With best regards,

Sincerely yours,

Capers G. Barr, III

CGBIII/meg

cc: H. Brewton Hagood, Esquire
Wm. Howell Morrison, Esquire
John A. Massalon, Esquire
Christy Ford Allen, Esquire
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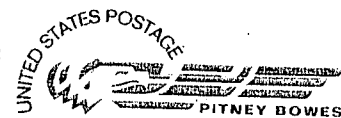
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