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COMMERCIAL LITIGATION • CONSTRUCTION • ENVIRONMENTAL

October 4, 2013

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S.C. SUPREME COURT

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

RE: Ashley II of Charleston LLC v. PCS Nitrogen, Inc.
United States District Court, Charleston Division
Case No.: 2:05-cv-02782-MBS
Appellate Case No. 2013-001766

Dear Ms. Shealy:

I represent Robin Hood Container Express in the above referenced matter 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 matter. Thank you and with best regards, I am

Very truly yours,

LEATH, BOUCH & SEEKINGS, LLP

Timothy W. Bouch

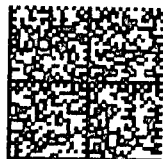
TWB/lf

cc: All counsel of Record



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Columbia, SC 29211**