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November 3, 2025

VIA E-FILING

South Carolina Court of Appeals
The Honorable Jenny Abbott Kitchings

RECEIVED

Nov 04 2025

SC Court of Appeals

Re: Jason Tuck v. On the Mark Automotive
Appellate Case No.: 2023-000353

Dear Ms. Kitchings:

We represent the Appellants in Appellate Case No. 2023-000353, *Jason Tuck v. On The Mark Automotive*. We received correspondence advising that this appeal is scheduled for oral argument on November 5, 2025, at 10:40 a.m.

I represent Berkeley County, which, by contract, is the financial party in interest in a condemnation jury trial in Berkeley County (Case No. 2019-CP-08-02531). My representation extends to Berkeley County and to those witnesses we anticipate the Landowner will call in its case-in-chief. The parties engaged in additional settlement discussions through the mediator up to the start of trial, so it was uncertain whether the matter would proceed.

However, as a jury was impaneled today, it is clear the matter is going forward and the case is expected to continue through Friday, November 7, 2025. I write to advise the Court of Appeals of this conflict and respectfully request the Court's guidance on whether the oral argument should be rescheduled or how the Court prefers to handle this scheduling issue. I have copied opposing counsel on this correspondence. Thank you for your consideration.

Respectfully,
BANNISTER, WYATT & STALVEY, LLC



Bruce W. Bannister

BWB/eh