



SMYTH WHITLEY, LLC
ATTORNEYS AT LAW

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S.C. Supreme Court

February 27, 2014

VIA UNITED STATES MAIL and EMAIL to djhopkins@sccourts.org

The Honorable Debbie J. Hopkins
Clerk of Court
South Carolina Supreme Court
1231 Gervais Street
Columbia, South Carolina 29201

Re: Appellate Case No.: 2011-199666 (consolidated cases)

*Elizabeth O'Meara v. Brookdale Senior Living, Inc., Southern Assisted Living, LLC,
d/b/a Carolina House of Hilton Head and Sonia S. King*
C/A No. 2011-CP-07-1610

*Samuel H. Pruett, as Personal Representative for the Estate of Yvonne Carrie Pruett v.
Brookdale Senior Living, Inc., Southern Assisted Living, LLC, d/b/a Carolina House of
Hilton Head and Sonia S. King*
C/A No. 2011-CP-07-1700

*Janet Scheerle v. Brookdale Senior Living, Inc., Southern Assisted Living, LLC, d/b/a
Carolina House of Hilton Head and Sonia S. King*
C/A No. 2011-CP-07-2654

Dear Ms. Hopkins:

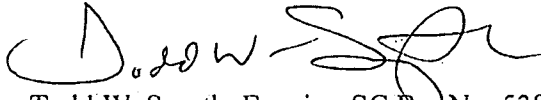
Enclosed for filing please find the original and seven copies of the Notice of Appearance entered by Todd Smyth, Esquire as counsel of record, in addition to Marcus A. Manos, Esquire and Manton M. Grier, Jr., Esquire of Nexsen Pruet, LLC, for the Appellants Brookdale Senior Living, Inc. and Southern Assisted Living, LLC, and a Proof of Service in the above-referenced matter. Please return a clocked copy to me in the enclosed envelope.

The undersigned is writing to inform the Court that the parties have agreed to settle all of the claims in the above-referenced matter. We are working to finalize the settlement documents and still need to have the settlement approved by the Circuit Court prior to filing a formal Agreed Dismissal of the appeal but wanted to make the Court aware of this development. Further, Respondents will not agree to file an Agreed Dismissal of the Appeal until they have been paid.

Todd W. Smyth
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Thank you for your time and assistance with this matter. Please do not hesitate to contact our office should you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd W. Smyth". The signature is fluid and cursive, with the first name "Todd" being the most prominent.

Todd W. Smyth, Esquire, SC Bar No. 5380

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Attorney for the Appellants Brookdale Senior
Living, Inc. and Southern Assisted Living,
LLC, d/b/a Carolina House of Hilton Head

cc: Susan T. Wall, Esquire – *Via U.S. Mail and email*
Marcus A. Manos, Esquire - *Via U.S. Mail and email*
Manton M. Grier, Esquire. - *Via U.S. Mail and email*