

March 5, 2014

****DELIVERED VIA HAND DELIVERY****

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RECEIVED

MAR 05 2014

SC Court of Appeals

Re: TD Bank v. Copper Lakes, LLC, et al.
Appellate Case No. 2012-209566
Case No. 10-CP-23-10047

Dear Ms. Kitchings:

Thank you for your correspondence dated February 10, 2014, in which you confirmed the Court of Appeals' offer to hold its decision in abeyance for thirty days to allow for settlement negotiations among the parties in the above matter. On behalf of Respondent TD Bank National Association, Successor by Merger to Carolina First Bank, and Appellant Silver Real Estate Fund I, L.P., please be advised that the parties have reached a settlement that would resolve this litigation in total, including all issues currently on appeal. We would respectfully request that the Court continue to hold this matter in abeyance for an additional thirty (30) days, through and including April 7, 2014, in order to finalize this settlement, including the preparation and execution of all necessary settlement documents by all parties to the case. We will report back to the Court with an update on the status of settlement on or before that date.

Please do not hesitate to contact Mr. Babcock or me should you have any questions or wish to discuss further.

Sincerely,

WOMBLE CARLYLE SANDRIDGE & RICE
A Professional Limited Liability Company

Michael J. Bogle / signed with express
permission by MTC
Michael J. Bogle

cc: A. Camden Lewis, Esq. (by email)
Keith M. Babcock, Esq. (by email)
Ariail Elizabeth King, Esq. (by email)