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Charleston, SC
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April 24, 2014

RECEIVED

JUN 12 2014

SC Court of Appeals

Via Hand Delivery

The Honorable Jenny Abbott Kitchings
Clerk of Court
S.C. Court of Appeals
1015 Sumter Street
Columbia, SC 29201

Re: Bank of America, N.A. v. Jerry C. Wardlaw Construction of South Carolina, Inc., et al.
Case No. 2010-CP-07-2407
Appellate Case No. 2011-196888

Dear Ms. Kitchings:

Enclosed herewith please find an original and one (1) copy of an *Agreement to Dismiss Appeal With Prejudice*.

Please file the document and return a filed-stamped copy to me via the bearer of this letter. Please do not hesitate to contact me if you have any questions. By copy of this letter, we are serving same on all counsel of record.

With best regards, I am

Sincerely,

Frank B. Ulmer

FBU:kxl
Enclosures

cc: Joshua D. Walker, Esquire (Via U.S. Mail)
Wm. Weston J. Newton, Esquire (Via U.S. Mail)

PPAB 2409829v1

Exhibit "E"

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

JUN 12 2014

SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
The Honorable Carmen T. Mullen,
Circuit Court Judge

Civil Action No. 2010-CP-07-2407

Bank of America, N.A.,.....Respondent,

versus

Jerry C. Wardlaw Construction of South Carolina, Inc.;
Jerry C. Wardlaw Construction, Inc.;
Wardlaw Construction of Effingham, LLC;
JCW Construction, LLC; Jerry C. Wardlaw; Jack Wardlaw;
New Riverside Association, Inc.; and Midpoint at New Riverside
Homeowners Association, Inc.,.....Defendants,

Of whom

Jerry C. Wardlaw Construction of South Carolina, Inc.;
Jerry C. Wardlaw Construction, Inc.;
Wardlaw Construction of Effingham, LLC;
JCW Construction, LLC; Jerry C. Wardlaw; Jack Wardlaw
are the.....Appellants.

AGREEMENT TO DISMISS APPEAL WITH PREJUDICE

Robert C. Byrd
Frank B. Ulmer
PARKER POE ADAMS & BERNSTEIN LLP
200 Meeting Street, Suite 301
Charleston, SC 29401
Phone: (843) 727-2650

Joshua D. Walker
Joshua D. Walker, P.C.
123 West Oglethorpe Avenue
Savannah, GA 31401
(912) 232-0101

Attorneys for Respondent

Attorney for Appellants

[Handwritten signature]

Respondent and Appellants agree that this pending appeal should be dismissed with prejudice.

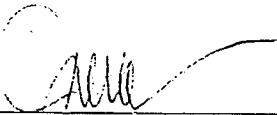
WHEREFORE, Respondent and Appellants respectfully request that this Court dismiss this appeal with prejudice.

Respectfully submitted,



Robert C. Byrd
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Attorneys for Respondent



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Attorney for Appellants

Apr. 23, 2014

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
The Honorable Carmen T. Mullen,
Circuit Court Judge

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SC Court of Appeals

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are the.....Appellants.

PROOF OF SERVICE

The undersigned hereby certifies that on April 24, 2014, the foregoing
AGREEMENT TO DISMISS APPEAL WITH PREJUDICE was served on all
counsel of record addressed as follows:

RECEIVED

SC COURT OF APPEALS

Joshua D. Walker, Esq.
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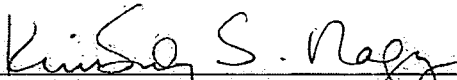
*Attorney for Defendants Jerry C. Wardlaw
Construction of South Carolina, Inc.; Jerry
C. Wardlaw Construction, Inc.; Wardlaw
Construction of Effingham, LLC; JCW
Construction, LLC; Jerry C. Wardlaw;
Jack Wardlaw; and Midpoint at New
Riverside Homeowners Association, Inc.*

Served via U.S. Mail

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*Attorneys for Defendant New Riverside
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