



Frank B. Ulmer
Associate
Telephone: 843.727.2649
Direct Fax: 843.727.2680
frankulmer@parkerpoe.com

Charleston, SC
Charlotte, NC
Columbia, SC
Raleigh, NC
Spartanburg, SC

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

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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

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

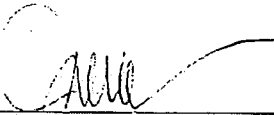
WHEREFORE, Respondent and Appellants respectfully request that this Court dismiss this appeal with prejudice.

Respectfully submitted,



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

Attorneys for Respondent



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

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

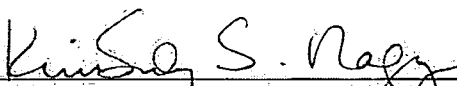
*Attorney for Defendants Jerry C. Wardlaw
Construction of South Carolina, Inc.; Jerry
C. Wardlaw Construction, Inc.; Wardlaw
Construction of Effingham, LLC; JCW
Construction, LLC; Jerry C. Wardlaw;
Jack Wardlaw; and Midpoint at New
Riverside Homeowners Association, Inc.*

Served via U.S. Mail

Wm. Weston J. Newton, Esquire
JONES SIMPSON & NEWTON, P.A.
PO Box 1938
Bluffton, South Carolina 29910
Phone: (843) 706-6111

*Attorneys for Defendant New Riverside
Association, Inc.*

Served via U.S. Mail


PARKER POE ADAMS & BERNSTEIN LLP
200 Meeting Street, Suite 301
P.O. Box 160 (29402)
Charleston, SC 29401
Phone: (843) 727-2650