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August 13, 2014

VIA HAND-DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court, SC Court of Appeals
1015 Sumter Street - 5th Floor
Columbia, SC 29201

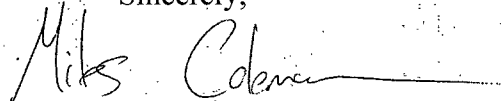
RE: In the Matter of the Estate of Eris Singletary Smith
Appellate Case No. 2013-002810
Our File No. 42246/01500

Dear Ms. Kitchings:

This letter is to confirm the date by which Appellant must file her return to the Respondent's Amended Motion to Strike certain matters from the Appellant's Designation. Respondent initially filed that motion on August 4, 2014, but filed an amended version of the motion on August 8, 2014. Pursuant to Rule 240(e), SCACR, Appellant has ten days from the date of service of the motion in which to file and serve her return to that motion.

Based on Appellant's counsels' analysis of Rule 240, and as confirmed earlier today in conversation with the Clerk's office, it is counsels' understanding that the ten-day period in which to respond to the pending motion is calculated based on the date of service of the *Amended* Motion to Strike, not the original Motion to Strike. Opposing counsel has agreed and consented to this interpretation. (*See attached.*) Accordingly, undersigned counsel intends to file Appellant's return to the motion on or before August 18, 2014. If this is incorrect, please do not hesitate to contact me at your earliest possible convenience to correct my understanding.

Sincerely,



Miles E. Coleman

Enclosure

cc: Jeffrey L. Payne, Esquire
Rene' Josey, Esquire
Robert E. Lee, Esquire
Gary I. Finklea, Esquire

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SC Court of Appeals

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Miles Coleman

SC Court of Appeals

From: Josey, J. Rene <JJosey@TurnerPadget.com>
Sent: Tuesday, August 12, 2014 5:02 PM
To: Miles Coleman
Cc: Payne, Jeff L.
Subject: Re: Estate of Eris S. Smith -- deadline to respond to Amended Motion to Strike

Sure.

I am most concerned that the briefing get delayed until this is resolved.

Sent from my iPhone

On Aug 12, 2014, at 4:43 PM, "Miles Coleman" <Miles.Coleman@nelsonmullins.com> wrote:

Rene,

I have received a copy of your Amended Motion to Strike certain matters from Appellant's Designation. It is my understanding of Rule 240(e), SCACR, that the ten-day period in which we may respond to your motion should be calculated from the date of service of the *Amended* Motion filed on August 8, 2014 (rather than the original motion, filed on August 4, 2014).

Do you agree and consent to our filing Appellant's return to your pending motion on or before August 18, 2014?

Miles

Nelson Mullins

Miles Coleman
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