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# Nelson Mullins

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RECEIVED

SEP 16 2014

SC Court of Appeals

173558

September 16, 2014

The Honorable Claire Allen  
Deputy Clerk of Court  
SC Court of Appeals  
1015 Sumter Street - 5th Floor  
Columbia, SC 29201

RE: Harleysville Group Insurance v. Heritage Communities, Inc. (Magnolia North)  
C.A. No.: 2009-CP-26-11862  
Appellate Case No. 2013-001281  
Our File No.: 00470.01580  
Harleysville Group Insurance v. Heritage Communities, Inc. (Riverwalk)  
C.A. No.: 2009-CP-26-10053  
Appellate Case No. 2013-001291  
Our File No.: 00470.01581

Dear Ms. Allen:

I am on our Firm's Executive Committee and we have our year-end Firm management meetings out of town on December 5<sup>th</sup> - 8<sup>th</sup>. This is our Firm's most important annual meeting. It is therefore imperative that I attend that meeting and prepare heavily for it. I therefore respectfully request that the oral argument in this matter be moved to the next term of Court. I thank the Court in advance for its kind consideration of this request. By this letter I am moving, on behalf of my clients, to have this case set for oral argument at a later term of court. As can be seen by the attached email from Mr. Henry, he consents to this motion. The \$25 fee for motions accompanies this letter.

The Honorable Claire Allen  
September 16, 2014  
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With kind regards, I remain

Sincerely yours,

A handwritten signature in black ink that reads "C. Mitchell Brown". The signature is written in a cursive style with a large, sweeping "C" and a long, trailing "Brown".

C. Mitchell Brown

CMB:lpw  
Enclosure

cc: John P. Henry, Esquire  
Laura Johnson Evans, Esquire  
Karin McCarthy, Esquire

**Lisa Whitehurst**

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**Subject:** FW: draft motion

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**From:** Pat Henry [mailto:PHenry@thompsonlaw.com]

**Sent:** Sunday, September 14, 2014 11:20 AM

**To:** Mitch Brown

**Subject:** Re: draft motion

Mitch, I consent to consolidating the two appeals for oral argument. I also consent to moving the oral arguments to January.

*Sent from my Verizon Wireless 4G LTE DROID*

Mitch Brown <[mitch.brown@nelsonmullins.com](mailto:mitch.brown@nelsonmullins.com)> wrote:

Pat:

Please see the attached. I was reminded we did already file this motion in the Court of Appeals, but it was denied without prejudice. The Court did not want to rule on the motion until the briefing was completed. Thus, in this draft we are stating we "renew" the motion to consolidate for oral argument. Please let me know if we have authority to indicate your consent and also please let me know if you will consent to moving oral argument to January. Thank you in advance.

Mitch

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