

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Eugene C. Griffith, Jr., Circuit Court Judge

Case No. 2012-CP-32-04133
Appellant Case No. 2014-000350

Sandra L. Calhoon, as Personal Representative
for the Estate of James K. Calhoon.....Appellant,

v.

R. Keith Dooley, Individually, Dooley & Company, LLP
and Cherokee of Lexington, LLC,.....Respondents.

AGREEMENT TO DISMISSAL OF APPEAL

Pursuant to SCACR Rule 260(b), the Parties hereto agree that the proceeding be dismissed, and respectfully request that the Court enter an Order of Dismissal. The Parties further agree, pursuant to SCACR Rules 260(b) and 222(a), that costs shall not be taxed against either Party when the appeal is dismissed. Pursuant to SCACR Rule 261(b), the Parties have entered into a written Settlement Agreement and Mutual Release relating to the matter subject of this appeal and pending before this Court, and approval by an appellate court, a lower court, or other tribunal is not required for the agreement to be effective, nor do the Parties desire to have the agreement approved by this Court.

Columbia, South Carolina
August _____, 2014

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September 15, 2014

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals Clerk of Court
PO Box 11629
Columbia SC 29211

RE: *Sandra L. Calhoun, as Personal Representative for the Estate of James K. Calhoun vs. R. Keith Dooley, individually, Dooley & Company, LLP, & Cherokee of Lexington, LLC*
Appellate Case No. 2014-000350

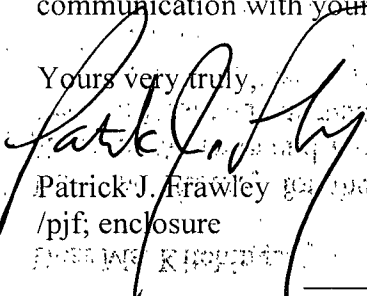
Dear Ms. Kitchings:

I am the attorney for the Respondents R. Keith Dooley and the companies listed above, and Kenneth Wingate and Paul Kent are attorneys for the Appellant Sandra L. Calhoun. My Initial Brief of Respondents was to have been due today. However, the parties have resolved all claims incident to the appeal and the remaining issues outside of the appeal, and I have forwarded the settlement check and settlement documents to the attorneys for the Appellant by letter dated August 28, 2014, and I am awaiting the return of those documents, signed by or on behalf of the Appellant. Among those documents is an Agreement to Dismiss Appellate Case No. 2014-000350, an unsigned copy of which I have enclosed for your review. As soon as I receive the signed original back from the attorneys for the Appellant, I will sign it and forward it your office.

Please advise if I need to do anything further in the interim.

By copy of this letter to the attorneys for the Appellant, I am apprising them of my communication with your office with regard to the settlement.

Yours very truly,


Patrick J. Frawley
/pjf; enclosure

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SC Court of Appeals

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The Honorable Jenny Abbott Kitchings
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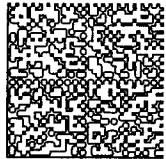
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