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S.C. SUPREME COURT

Robert T. Lyles
Member

LYLES & LYLES, LLC
ATTORNEYS AT LAW
342 East Bay Street
P.O. Box 773 (29402)
Charleston, South Carolina 29401
Telephone: (843) 577-7730
Facsimile: (843) 577-7172

(843) 577-7730
E-mail: rtl@lylesfirm.com

November 11, 2014
VIA REGULAR MAIL

The Honorable Daniel E. Shearouse
Clerk of the South Carolina Supreme Court
South Carolina Supreme Court
Supreme Court Building
1231 Gervais Street
Columbia, South Carolina 29201

Re: *The Spriggs Group, P.C., v. Gene R. Slivka*
Appellate Case No: 2013-000800
Colleton County Case No: 2009-CP-15-0595

Dear Clerk:

Please be advised that the undersigned, counsel for Appellant filed its Response yesterday, November 10, 2014 (according to Linda Allen of your office, and upon my request for the information) to an Amicus Curiae brief filed by the AIA, relative to the above matter. Upon review of the Appellate Rules, I was unable to determine the number of copies required to be filed with the Court, or the color of the cover required for an Appellant's Response to an Amicus Curiae brief. I attempted to contact the Clerk's office first thing this morning, but realized that the Court is closed in honor of Veteran's Day. I will contact the clerk's office again tomorrow morning, but wanted to make the Court aware of our attempts to be accurate in our filing.

On that note, I would like to comment on the Amicus Curiae procedure. Rule 213, relative to filing an Amicus Curiae brief advises that a brief, may be filed "conditionally" with a motion for leave to file. The Rule continues that, "If leave to file an Amicus Curiae brief is granted, the appellate court will specify the period in which a response to the brief may be filed."

On October 7, 2014, the SC Chapter of AIA, filed a Petition, as well as a conditionally filed proposed brief. This office was aware of and awaiting a determination from the Court as to whether leave to file the brief would be granted. An Order dated/filed October 23, 2014 and received in this office on October 27, 2014, granted the Amicus Curiae leave to file the brief. The proposed brief was also accepted as filed. However, we were never advised about the deadline for filing a response. When we called last week, we were told to file it Monday.

Please advise about the number of copies you require and the color of the cover so that we can ensure that we have satisfied the requirements of the Supreme Court.

Thank you in advance for your attention to the above and with kindest regards, I remain,

Very truly yours,

LYLES & LYLES, LLC

A handwritten signature in black ink, appearing to be "R. T. Lyles, Jr.", written over the printed name below.

Robert T. Lyles, Jr.

RTL/kl

Enclosures

cc: Gene Slivka
Lawrence C. Melton, Esq.
James A. Bruorton, Esq.

LYLES & LYLES, LLC

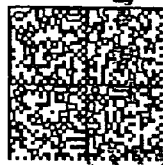
ATTORNEYS AT LAW

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Charleston, South Carolina 29401

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