

February 23, 2015

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S.C. Supreme Court

VIA HAND DELIVERY

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

Re: *Julie Freeman v. J.L.H. Investments, LP a/k/a Hendrick Honda*
Appellate Case No. 2014-001110
HSB File No. 32239.0001

Dear Mr. Shearouse:

All of the parties look forward to being with the Court for oral argument April 8, 2015. We are sending this letter jointly to respond to your letter of February 10, 2015. The parties are aware of *Lancaster v. Georgia-Pacific Corp.*, 403 S.C. 136, 742 S.E.2d 867 (2013) and Rule 261, SCACR. However, the High/Low Risk Limitation Agreement (“Agreement”) described in my letter of February 9, 2015 is not a “settlement” because it does not resolve the disputed claims and end the litigation, and thus, in our view, it does not affect the appeal. In fact, the Agreement depends upon a determination of the appeal by the Supreme Court. Moreover, the Agreement also involves other cases and parties that are not presently before this Court. It is only because the Plaintiff is a representative plaintiff that court approval of the Agreement is required.

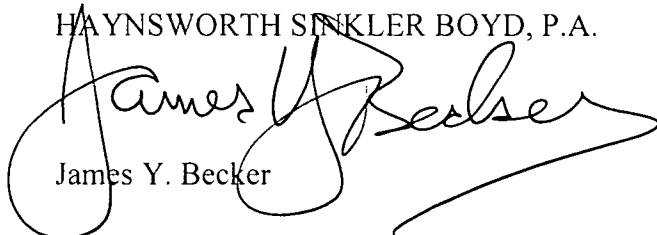
Attorneys for the parties believe that the circuit court retains jurisdiction to consider and approve the Agreement. Once the time frame for trial court approval of the Agreement in this and the other cases is finalized, the parties anticipate that they will file a joint motion to stay the decision in this matter as suggested in your letter of February 10, 2015. At this time, however, such a motion would be premature.

If I can answer any additional questions you may have, please do not hesitate to contact me. As always, the parties appreciate the Court’s time and attention to this matter.

The Honorable Daniel E. Shearouse
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Very truly yours,

HAYNSWORTH SINKLER BOYD, P.A.

A handwritten signature in black ink that reads "James Y. Becker". The signature is written in a cursive style with a large, sweeping flourish at the end.

James Y. Becker

JYB/jyb

cc: via email only to:
Terry E. Richardson
Brady R. Thomas
James David Butler
A. Camden Lewis
Gedney M. Howe, III
Michael Eugene Spears
Marvin D. Infinger
John T. Lay