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February 2, 2015

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Via Courier

Honorable Jenny Abbott Kitchings  
Clerk of Court  
S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

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SC Court of Appeals

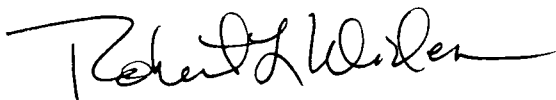
Re: DRV Fontaine, LLC -v- Fontaine Business Park, LLC, et al.  
Appellate Case No. 2014-000377

Dear Ms. Kitchings:

Pursuant to Rule 208(b)(7), SCACR, the Respondent in the above-noted appeal respectfully submits this Supplemental Citation Letter. After the Respondent served and filed its Initial Brief of Respondent (December 1, 2014), the South Carolina Supreme Court issued its opinion in *Carolina First Bank v. BADD, LLC*, Op. No. 27486 (S.C. Sup. Ct. filed Jan. 28, 2015) (Shearouse Adv. Sh. No. 5 at 21), holding *inter alia* that the assertion of a legal and permissive counterclaim in a mortgage foreclosure action resulted in a waiver of any right to a jury trial on the counterclaim. (*Id.* at 25-27). This holding is relevant to the Respondent's appellate argument that, if the Appellants' counterclaims are unrelated to the contract between the parties, then the counterclaims are permissive and the Appellants' waived any right to jury trial by asserting them in this mortgage foreclosure action. (See Final Brief of Respondent at 19-20, 22, 23).

Respectfully yours,

McNAIR LAW FIRM, P.A.



Robert L. Widener

RLW/as  
Enclosures

cc: Brent B. Young, Esq.  
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