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March 9, 2015

ORIGINAL VIA HAND DELIVERY

Honorable Jenny Abbott Kitchings
Clerk of Court of the Court of Appeals
1015 Sumter Street
Columbia, SC 29201

Re: Rose Electric, Inc. vs. Southern Produce, Inc., et al.
C/A No. 2011-CP-32-1929
Appellate Case No. 2014-001633
(Our File No. 4657.1151)

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Dear Ms. Kitchings:

I am responding to correspondence from opposing counsel, Kathryn Cook and Robin Turner, about their desire to obtain a transcript of a post-trial hearing held on October 23, 2013.

I did not request this transcript since this was not a motion hearing but time arranged by the trial judge to hear argument from counsel about the issues in the case after the parties had previously submitted argument in the form of briefs as instructed at the end of the trial. I viewed this event as similar to a status conference. I copied both counsel at the time that I ordered the transcript of the trial (held on February 13, 2013) from the court reporter, and I did not tell her to transcribe the status conference held on October 23, 2013, as I thought this status conference was not considered part of the trial proceeding. I recall this event lasting less than thirty minutes.

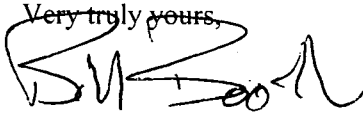
I did receive the Initial Brief of Respondent S2P, LLC on February 27, and I have no problem with allowing counsel to resubmit his initial brief after receipt of the transcript. So, I will assume he will be allowed to do this so I do not think I need to file a reply brief within ten days.

But, in the event that a motion for an extension is required from me to file a Reply Brief after receipt of confirmation from counsel that he will or will not resubmit his Initial Brief after receipt of the additional transcript, I include a check in the amount of \$25.00 for the filing fee of a motion to such effect.

I ALSO REQUEST THAT THE RUNNING OF TIME FOR FILING THE REPLY BRIEF BE HELD IN ABEYANCE WHILE THIS REQUEST IS PENDING BEFORE THE COURT.

I request that you let me know if I need to do anything further at this time.

Very truly yours,



William E. Booth III

WEBIII/eje

Enclosure

C: J. Robin Turner, Esquire (w/Enc.)

Kathryn M. Cook, Esquire (w/Enc.)

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