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August 24, 2012

VIA FACSIMILE ONLY (803) 734-1499

Ms. Debbie M. Hopkins  
Administrative Assistant  
Supreme Court of South Carolina  
P.O. Box 11330  
Columbia, SC 29211

**RECEIVED**

AUG 24 2012

S.C. SUPREME COURT

Re: Jorge V. Esguerra v. Jamie V. Brown, et al.  
Appellate Case No.: 2010-174706

Dear Ms. Hopkins:

We have received your letter of August 15, 2012 regarding dates on which arguments might be held in the above-captioned appellate matter. In connection therewith, please accept my apologies for not responding by August 22<sup>nd</sup>, as you had requested, however, I have been tied up in a two-day trial, was out of town until this past Wednesday evening, and then attended an all-day mediation yesterday. As such, this is my first opportunity to respond to your letter.

In response to your inquiry, please accept this correspondence as confirmation that the undersigned counsel of record for the Respondents, Robert Baroni, Boyd R. Laughlin, and Associated Construction Consultants, Inc., are available for said arguments on the following dates:

October 3, 4, 16 and 17.

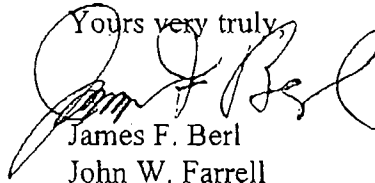
Please be advised that I have a conflict with October 2<sup>nd</sup>, as I have a previous engagement involving my son at his college in Georgia the weekend before, and I will not return to the office until October 2<sup>nd</sup>. Based thereon, I would respectfully request your consideration in not scheduling arguments in this case on that date.

Ms. Debbie M. Hopkins  
Administrative Assistant  
Supreme Court of South Carolina  
Page 2  
August 24, 2012

If there is anything additional required, or should you have any questions or concerns,  
please do not hesitate to contact me.

With kind regards, I am

Yours very truly,

A handwritten signature in black ink, appearing to read "James F. Berl". The signature is fluid and cursive, with a large initial "J" and "B".

James F. Berl  
John W. Farrell  
Attorneys for Respondents, Robert Baroni,  
Boyd R. Laughlin, and Associated Construction  
Consultants, Inc.

JFB:jec