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July 28, 2015

Honorable Jenny Abbott Kitchings  
Clerk of the Court  
South Carolina Court of Appeals  
Post Office Box 116929  
Columbia, South Carolina 29211

via Facsimile Only to:  
(803) 734-1829

**RECEIVED**

JUL 28 2015

SC Court of Appeals

Re: *KNS Foundation v City of Myrtle Beach*  
Appellate Case No. 2013-002793

Dear Ms. Kitchings:

In response to your letter regarding counsels' availability for oral arguments in the above case, it appears that the Appellant's co-counsel, Armand Derfner, Esq., does have a conflict with some of the proposed dates.

Mr. Derfner will be traveling to California to visit his sister who has been ill. Due to the Jewish holidays in September, the trip was planned for mid-October when other family members will be able to travel from Israel. Mr. Derfner is available October 5, 6, and 7; he is unfortunately not available on October 13, 14 and 15.

If it would cause no further inconvenience to the Court, we would appreciate this matter not come up for oral arguments when Mr. Derfner is in California the week of October 12<sup>th</sup>.

With best regards,

Sincerely yours,

LAW OFFICES OF JOHN M. LEITER, PA

  
John M. Leiter

JML/smp

cc: Howell V. Bellamy, III, Esq. (Via Email Only)  
Michael Warner Battle, Esq. Esq. (Via Email Only)  
Armand G. Derfner, Esq. (Via Email Only)