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August 29 2012

**VIA TELEFAX 803-734-1839**  
Clerk  
Court of Appeals  
1015 Sumter St.  
PO Box 11629  
Columbia, SC 29211

**RECEIVED**

AUG 29 2012

SC Court of Appeals

Attn Laurie Fields

**Re Simmons v Berkeley Electric Cooperative, Inc  
and St John's Water Company, Inc.,  
Case No 2011192409**

Dear Ms Fields

This letter shall confirm my voice mail message that I would prefer that the scheduling of oral argument in the captioned appeal be held during the week of October 29 to November 1 due to a family visit that I am planning during the week of November 12. If you have any questions please do not hesitate to call. Thank you for your kind assistance.

Very truly yours  
  
Edward A Bertele

Encl  
CC John B Williams, Esq w/encl  
Gaines W Smith, Esq