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August 3, 2012

RECEIVED

AUG 06 2012

SC Court of Appeals

The Honorable Jenny Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter St.
Columbia, SC 29201

Re: Ann Coleman, Individually, and as Personal Representative of the Estate of Mary Brinson, *Respondent*, v. Mariner Health Care, Inc., f/k/a Mariner Post Acute Network, LLC, Mariner Health Care Management Company, Mariner Health Central, Inc., Mariner Health Group, Inc., MHC Holding Company, MHC Florida Holding Company, MHC Gulf Coast Holding Company, MHC MidAmerica Holding Company, MHC Rocky Mountain Holding Company, MHC Northeast Holding Company, MCH West Holding Company, MHC Texas Holding Company, MHC MidAtlantic Holding Company, Living Centers-Southeast, Inc., Grancare South Carolina, Inc., Individually and d/b/a Faith Health Care Center, SavaSeniorCare Management, LLC, SavaSeniorCare Administrative Services, LLC, SavaSeniorCare, LLC, SavaSeniorCare, Inc., National Senior Care, Inc., Palmetto Health Care, LLC, Palmetto Faith Operating, LLC, Individually and d/b/a Faith Health Care Center, Ask Holdings, LLC, Leonard Grunstein, an Individual, Murray Forman, and Individual, Boyd P. Gentry, an Individual, Abraham Shaulson a/k/a Abraham Shavlson a/k/a A. Shawson a/k/a Abraham Shawson, an Individual, Avi Klein, an Individual, SC Property Holdings, LLC, SC Faith LLC, and Joes Does 1-26, *Appellants*,
C.A. Nos. 2010-CP-21-00835, 2010-CP-21-00836.

Dear Ms. Kitchings:

On or about July 24, 2012, AARP filed a Motion for Leave to File Brief *Amicus Curiae* of AARP in Support of Respondent and Affirmance (“**Motion for Leave to File Amicus Brief**”). However, in violation of Rules 240(d) and 262(b) of the South Carolina Appellate Court Rules, AARP did not serve a copy of its motion on Appellants Leonard Grunstein and Murray Forman’s current attorney.¹ In fact, Mr. Grunstein and Mr. Forman were entirely

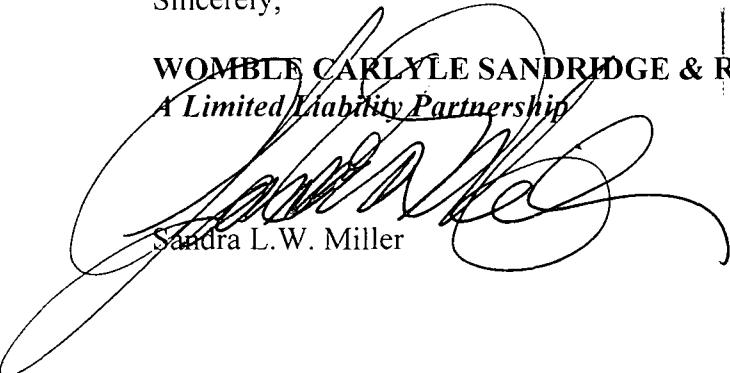
¹ On or about January 9, 2012, the Court granted Mr. Grunstein and Mr. Forman’s motion to substitute Womble Carlyle Sandridge & Rice for Holcombe Bomar, P.A. as their counsel. Since that date, Womble Carlyle and the undersigned attorney have represented these Appellants in the above-captioned case. Nonetheless, it appears that AARP may have ineffectively and improperly served its July 2012 Motion on Holcombe Bomar, Mr. Grunstein and Mr. Forman’s prior counsel.

unaware of AARP's motion until August 1, 2012, when another Appellant's counsel incidentally called the undersigned and mentioned it. By copy of this letter, Mr. Grunstein and Mr. Forman notify AARP's attorney that their undersigned counsel will accept service of the Motion for Leave to File Amicus Brief.

However, Mr. Grunstein and Mr. Forman, who expressly reserve all objections to AARP's proposed Amicus Brief, respectfully request that the Court delay its ruling on AARP's Motion until after: (1) AARP properly serves their undersigned attorney with the Motion, and (2) they have filed a return and/or their time for filing a return to the Motion has lapsed, see Rule 240, SCACR ("Any party opposing a motion or petition shall have ten (10) days from the date of service thereof to file an original and six (6) copies of his return with the clerk").

Sincerely,

WOMBLE CARLYLE SANDRIDGE & RICE
A Limited Liability Partnership



Sandra L. W. Miller

cc:

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Enclosure