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September 8, 2015

VIA ELECTRONIC MAIL

The Honorable Jenny Abbott Kitchings
Clerk of Court of SC Court of Appeals
Post Office Box 11629
Columbia, SC 29211
jkitchings@sccourts.org

Re: *Kiawah Resort Associates, L.P., et al. vs. Kiawah Island Community Association, Inc., et al.*, Appellate Case No.: 2015-001146

Dear Ms. Kitchings:

Please allow this letter to confirm my telephone conversation of this afternoon with our case manager, Shelby Nell, in the Clerk's office regarding the deadline for the reply brief of Appellant/Respondents Kiawah Resort Associates, L.P. ("KRA") and KDP II LLC ("KDP II").

KRA and KDP II submitted their Initial Brief of Appellant/Respondents on July 31, 2014. Respondent Kiawah Island Community Association, Inc. ("KICA") filed its Brief of Respondents on August 31, 2015. However, the Respondents/Appellants, Kiawah Property Owners Group, Inc., and Inlet Cove Club Homeowners Association, Inc. ("Intervenors"), obtained an extension of time until September 30, 2015 to file their responding brief.

As a result, KRA and KDP II intend to submit their Initial Reply Brief once Intervenors have responded, so that the Reply Brief can address all rather than some of the arguments made in response to KRA and KDP II's Initial Brief. Also, I am of the understanding that the Court would not want to receive multiple Reply Briefs from KRA and KDP II that would address the arguments presented in the responding briefs in a piecemeal fashion as the responding briefs are filed, as opposed to filing a single Reply Brief addressing all of the responding briefs.

I confirmed today with Shelby that KRA and KDP II intend to file one Reply Brief in response to the responding briefs of both KICA and Intervenors within ten (10) days following the service of Intervenors' responding brief. She indicated that this was an acceptable way to handle the situation. Through this letter, I wanted to memorialize this conversation with the Clerk's Office and request that you please let me know if this is inconsistent in any way with the manner in which the Reply Brief should be handled under the circumstances.

THE HONORABLE JENNY ABBOTT KITCHINGS
SEPTEMBER 8, 2015
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Your assistance with this matter is greatly appreciated. Please let me know if our understanding is incorrect.

With best regards,

s/ Ellis

Ellis R. Lesemann

ERL/ajs

cc: Shelby Nell, Appellate Case Manager
Allison C. Jett, Esq.
Amy E. Armstrong, Esq.