



**Ballard & Watson**  
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PERSISTENT. UNWAVERING.

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October 15, 2015

Via U.S. Mail

Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RECEIVED

OCT 19 2015

SC Court of Appeals

Re: *John Rakowsky vs. Adrian Falgione, et al.*  
Appellate Case No.: 2014-002029

Dear Ms. Kitchings:

We are in receipt of Mr. Sribnick's letter dated October 11, 2015. Mr. Sribnick served us with a motion for sanctions in this case on June 8, 2015, and we filed and served our response on June 18, 2015. We should have checked C-Track to determine whether their motion for sanctions against us was actually filed with the court. However, we learned after filing our return that no motion for sanctions had ever been filed with the Court and that service on us was apparently meant to mislead us.

We have no objection to withdrawing our return to motion for sanctions, since no motion for sanctions was actually filed.

We will be more careful in the future to make sure that whatever is served on us is actually filed before responding. Of course, should our pending motions to dismiss be granted, this case will finally be over with, for which all involved would be grateful.

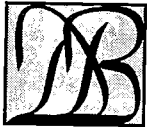
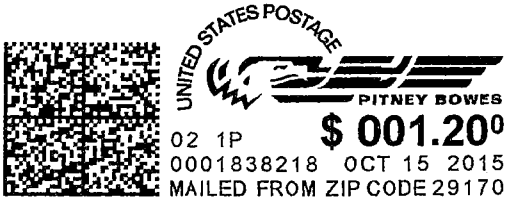
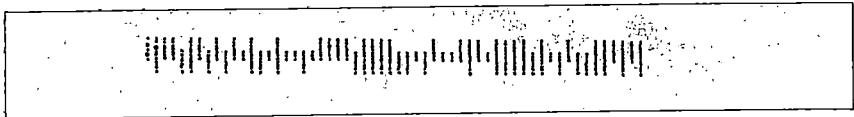
With warm personal regards, I am,

Sincerely yours,

*Desa Ballard*

Desa Ballard  
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cc: Via U.S. Mail  
Michael Sribnick, Esquire  
James Spencer, *pro se*  
John Rakowsky, Esquire (via Email)



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**To:**

Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201