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SC Court of Appeals

S. Jahue Moore*
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William H. Edwards
Stanley L. Myers
Jane H. Downey*
S. Jahue Moore, Jr.
John C. Bradley, Jr.
Melissa K. Moore
William B. Fortino
Ralph Nichols Riley, Jr.
Amber Cary Fulmer
Sarah Taylor Cassidy
Gregory R. Close

Robert D. Hazel
OF COUNSEL
Billy C. Coleman
RETIRED

January 7, 2016

The Honorable Jenny Abbott Kitchings
Court of Appeals Clerk of Court
P.O. Box 11629
Columbia, SC 2921

RE: Kan Enterprises, Inc., d/b/a A1 Food Stores v. SC Department of
Revenue, et al
Appellant No. 2015-000733

Dear Ms. Kitchings:

Please find attached to this letter an unbound original and nineteen copies of our Appendix to Record on Appeal in this matter. Please return five clocked and filed copies via our courier.

Pursuant to Rule 212(b), Appellant's counsel respectfully submits this Appendix with consent of Respondents' counsel. Copies of their consents are attached to this letter for your reference.

Following filing of the Record on Appeal, it was found that two orders (Order on Motion for Reconsideration, for a Stay and for Supersedeas, and Amended Final Order and Decision) included in Volume I, pages 1-9 were incomplete. Pages of these orders were inadvertently omitted during compilation of the Record on Appeal. The complete Orders are contained within Volume II as Exhibits to Appellant's Notice of Appeal.

We respectfully request that the Court disregard pages 1-9 of the Record on Appeal and instead refer to the Appendix instead.

The Honorable Jenny Abbott Kitchings

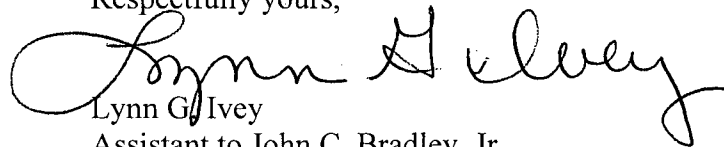
January 7, 2016

Page 2

By copy of this letter, we are serving opposing counsel with the Appendix.

Thank you for your assistance with this matter.

Respectfully yours,

A handwritten signature in cursive script that reads "Lynn G. Ivey". The signature is written in black ink and is positioned above the printed name and title.

Lynn G. Ivey

Assistant to John C. Bradley, Jr.

Enclosures

cc: Justine M. Tate, Esquire
Sean Ryan, Esquire
Kathleen McDaniel, Esquire
Patrick C. Sharpe, Esquire

Lynn G. Ivey

From: Justine M. Tate [Justine.Tate@dor.sc.gov]
Sent: Wednesday, January 06, 2016 12:56 PM
To: Kathleen McDaniel; Lynn G. Ivey
Cc: John Bradley
Subject: Re: Kan Enterprises

Follow Up Flag: Follow up
Flag Status: Flagged


The Department consents.
Justine M. Tate, Esq.
Counsel for Litigation
Office of General Counsel for Litigation
South Carolina Department of Revenue
P.O. Box 12265
Columbia, South Carolina 29211-9979
justine.tate@dor.sc.gov
P: (803) 898-5239
F: (803) 896-0171

RECEIVED
JAN 07 2016
SC Court of Appeals

From: Kathleen McDaniel <KathleenMcDaniel@callisontighe.com>
Sent: Wednesday, January 6, 2016 12:53 PM
To: Lynn G. Ivey; Justine M. Tate
Cc: John Bradley
Subject: RE: Kan Enterprises

I consent.

Thanks,
Kathleen

CALLISON  **TIGHE**

Kathleen McDaniel
Callison Tighe & Robinson, LLC
1812 Lincoln Street
P.O. Box 1390

P: 803.404.6900 **F:** 803.404.6901
Email: KathleenMcDaniel@callisontighe.com

Columbia, SC 29202-1390

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From: Lynn G. Ivey [<mailto:lynn@mttlaw.com>]
Sent: Wednesday, January 06, 2016 12:11 PM
To: Kathleen McDaniel; 'Justine M. Tate'
Cc: John Bradley
Subject: Kan Enterprises

I appreciate your responses to my last email regarding supplementing the record with the incomplete orders. After conferring with John and reviewing the rules, I need to revise my request to you both.

We are asking for your consent to supplement the record on appeal in this matter to include the two orders which were identified after filing as incomplete.

With your consent, a motion is not needed. The wording in my earlier email was incorrect.

I appreciate your continued time and assistance to correct the Record.

Lynn G. Ivey

Moore Taylor Law Firm, P.A.
1700 Sunset Blvd.
Post Office Box 5709
West Columbia, SC 29171
Phone: 803-796-9160
Fax: 803-791-8410

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