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T Allen Legare Jr (Deceased)  
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September 25, 2012

V Claire Allen, Deputy Clerk  
Post Office Box 11629  
Columbia, SC 29211

RE Simmons, Roosevelt v Berkeley Electric, et al  
Appellate Case No 2011-192409

Dear Ms Allen


I am in receipt of your letter of September 17, 2012 regarding the above-referenced matter and the likely scheduling of oral arguments sometime during the week of December 10-13. In your letter you requested that we advise the Court of any scheduling conflicts we might have with those dates.

Both I and Jeffrey C Moore, who is handling oral arguments on behalf of St John's Water Company, have long-standing plans to be out of the state during the week of December 10-14 on vacation, and would therefore respectfully request that this matter be scheduled for a different term.

If you have any questions regarding this request, please do not hesitate to contact me.

With kind regards, I am,

Yours very truly,  
LEGARE, HARE & SMITH

  
Gaines W Smith

CC John B Williams, Esq  
J Jay Hulst, Esq  
Edward A Bertele, Esq

RECEIVED  
SEP 28 2012  
SC Court of Appeals