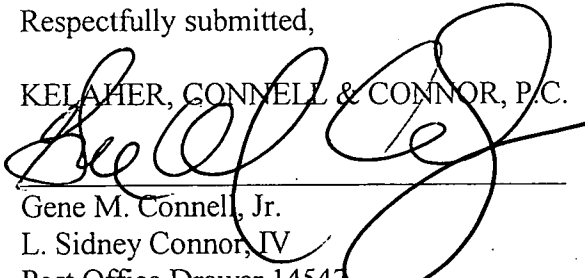


the offender has been secretly cleaning up the toxic chemicals without regulatory approval for years. Furthermore, toxic water emanating from the plant travels through the soil and air into the homes and yards of nearby residents. All irrigation wells and ground water access have been closed by governmental authorities. Fortunately, your family's home has not been contaminated by the toxic substances and there is no need to relocate. Although the close proximity of the contaminated site concerns you, you assume that the area will be restored pursuant to the cleanup efforts. You soon discover that part of the cleanup includes not cleaning up the entire area but only cleaning up some toxic areas which will take up to 25 years. Even though the contamination seems to be contained, the fact that you reside amidst a publically known contaminated area is a serious factor that concerns the average home buyer. The public's perception and fear of the contaminated area created by the leaking toxic chemicals greatly diminishes the market value of your property. This issue should survive a motion to dismiss.

Respectfully submitted,

KELAHER, CONNELL & CONNOR, P.C.



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July 30, 2012.

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August 28, 2012

Ms. Elizabeth Carter
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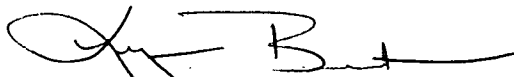
RE: Clint A. Chestnut, et al, Appellant, v. AVX Corporation, Respondent
Case No. 2010-CP-26-7459
Case Tracking No. 2012-212143

Dear Elizabeth:

Pursuant to our conversation of August 28, 2012, enclosed please find an original signed Page 27 of the initial brief as well as a letter with an original signature indicating when we received the transcript for the hearing held on May 22, 2012.

With best wishes, I remain

Sincerely yours,



Lynn C. Benton
Legal Assistant

Enclosures

cc w/encl.: Brad A. De Vore, Esquire
Richard E. Morton, Esquire

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AUG 29 2012

SC Court of Appeals