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**RECEIVED**  
JUL 11 2016  
SC Court of Appeals

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July 11, 2016

**VIA HAND DELIVERY**

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

Re: *Preservation Society of Charleston v. S.C. State Ports Authority & SCDHEC*;  
Appellate Case No. 2014-000847

Dear Ms. Kitchings:

I am in receipt of your letter dated June 13, 2016<sup>1</sup> advising counsel of record in the above-captioned appeal that this case may be considered during the September or October terms of court. I am also in receipt of the letters of co- and opposing counsel dated June 16, 2016 and June 17, 2016, respectively, advising the Court of conflicts. While your letter does not request a response if no conflict exists, please be advised that counsel for the South Carolina Ports Authority is available on any of the dates provided for the September and October terms of court. Therefore, based on all of the responses, no conflicts exist for any counsel of record in this case on September 6 or 7, as well as October 3-6, 11 and 12.

This case involves the state environmental permit issued to the South Carolina Ports Authority for an important infrastructure project that has the approval of the state permitting authority (co-respondent South Carolina Department of Health and Environmental Control) and the support of the City of Charleston and the State of South Carolina. This appeal has been fully briefed for over fourteen (14) months, with Final Briefs filed by the parties on May 4, 2015. The Ports Authority and DHEC sought certification of the appeal following the completion of briefing, but that motion was denied by the Supreme Court on July 24, 2015 with simultaneous notice provided to this Court.

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<sup>1</sup> Counsel for the parties have received conflict letters from your office dated September 15, 2015, November 10, 2015, December 4, 2015, January 13, 2016, February 12, 2016, March 17, 2016, and June 13, 2016.

Honorable Jenny A. Kitchings

July 11, 2016

Page 2 of 2

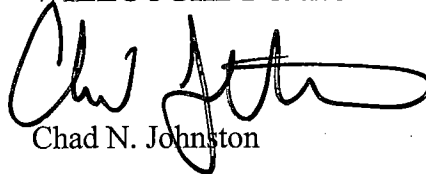
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Given the length of time that this case has been fully briefed and the availability of counsel in the current (as well as previously noticed terms), the Ports Authority respectfully requests that this case be set for oral argument on one of the above-listed and available dates of the September or October term of the Court.

If you have any questions or if you need any additional information, please do not hesitate to contact me.

Very truly yours,

**WILLOUGHBY & HOEFER, P.A.**

A handwritten signature in black ink, appearing to read "Chad N. Johnston", is written over the typed name. The signature is fluid and cursive.

Chad N. Johnston

Enclosures

cc: Amy Armstrong, Esquire  
Jefferson Leath, Esquire  
Bradley D. Churdar, Esquire  
J. Blanding Holman, Esquire  
Randolph R. Lowell, Esquire

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