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July 27, 2016

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Hand Delivered

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

RE: Philip Ethier and Jeanne Ethier v. Fairfield Memorial Hospital; Guy R. Bibeau, M.D.;
Tuomey Medical Professionals, Inc.; and Pee Dee Emergency Medical Associates, P.A.
Appellate Case Number: 2015-001964
Civil Action Number: 2013-CP-20-0012
Claim Number: CB127439M
Our File Number: 22.9679

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JUL 27 2016

SC Court of Appeals

Dear Ms. Kitchings:

I represent the Respondent Guy R. Bibeau, M.D. in this appeal. The purpose of this letter is to confirm with the Court the current briefing deadlines. I am in receipt of the Second Amended Initial Brief of Appellants that was served by mail on June 30, 2016. The Appellants also served at that same time a Motion for Permission to File Second Amended Brief Out of Time. The Respondent Bibeau opposes that motion and filed his return in opposition on July 11, 2016. That motion is still pending before the Court. In addition, per the Court's Order filed June 1, 2016, it is my understanding that the Respondent's Motion to Dismiss Appeal is still pending for a decision.

In sum, due to the pending motions, I am assuming that the Appellants' Second Amended Initial Brief is being considered a conditional brief that has not yet been accepted by the Court. I thus assume that all appeal deadlines -- including any deadline for filing the Respondent's Initial Brief -- are currently held in abeyance pending a decision on the two current motions. If that is incorrect and the deadlines are not currently in abeyance, please let me know and please also treat this letter as a request for a thirty day extension of time to file the Respondent's Initial Brief. If that is the case, I will provide a \$25 check for that extension request.

I would appreciate receiving clarification from the Court. Thank you very much for your assistance.

The Honorable Jenny Abbott Kitchings
July 27, 2016
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Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

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