

Ballard & Watson
Attorneys at Law
PERSISTENT. UNWAVERING.

80181
Desa Ballard
Harvey M. Watson III

Post Office Box 6338 | West Columbia, SC 29171
226 State Street | West Columbia, SC 29169
ph 803.796.9299 | fx 803.796.1066 | desaballard.com

July 8, 2016

Via U.S. Mail

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

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SC Court of Appeals

Re: *Rakowsky v. Falgione, LLC, Spencer, Holt, et. al.*
Case No: 2008-CP-40-6656
COA No: 2014-002029

Dear Ms. Kitchings:

We received the amended Record on Appeal from appellants on June 22, 2016 and have been attempting to prepare our final brief. However, a number of items that we designated cannot be located in the amended Record on Appeal, and we are unable to complete the citations in our final brief. In addition, a significant number of pages in the Record on Appeal (at least on the copy we received) are, in whole or in part, illegible (mostly with what appears to be highlighting) or have markings apparently added by appellants. I believe some of the documents included in the Record on Appeal were not designated, but I have not attempted an exhaustive review of that.

Pursuant to the Court's order dated May 26, 2016, we are renewing our motion to dismiss the appeal based upon the failure of the Appellants to include in the Record on Appeal the following designations of respondents:

1. Form Order of December 17, 2013 signed by Judge Barber (it was actually signed by Judge Manning)
2. Form 4 Order of Judge Early dated September 10, 2014
3. Form 4 Order of Judge Early (re: Omnibus Emergency Motions) filed September 11, 2014
4. Form 4 Order recorded December 30, 2014 re: Final Order Granting Interpleader
5. Reply to Counterclaims to Second Amended Complaint for Interpleader, filed February 18, 2011

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The following pages of the Record on Appeal are illegible, in whole or in part (using the numbers on the upper right side) or contain markings that alter the content or appearance of the original documents:

Pages 18, 19, 20, 22, 46, 54, 55, 83, 84, 86, 98, 102, 105, 116, 160, 161, 175, 178, 182, 183, 185, 194, 195, 196 (both illegible in part and contains markings), 199-205, 217, 218 (both illegible in part and contains markings), 219, 227, 232, 233, 241, 249, 261, 264, 279, 306, 310, 319, 342, 347, 350, 349, 348, 351, 352, 357, 358, 498, 499, 500, 502,

There is an additional document included in Volume I of the Record on Appeal on Page 87. This appears to be an altered version of the same document which appears on Page 361 (Vol. 1) and Page 510 (Vol. 2). Page 87 appears to have been cut & pasted to delete the references to Corporate Law Center and the line for the signature of attorney Ronald N. Serota. The accurate page, with Mr. Serota's signature, appears on Pages 362 (Vol. 1) and Page 511 (Vol. 2). We believe Page 87 to have been altered and should be removed from the Record on Appeal.

The integrity of the entire Record on Appeal is suspect. We don't accuse anyone of any particular wrongdoing; however, there are so many different versions of various documents that we believe it is impossible to complete an accurate Record on Appeal.

For these reasons, we renew our Motion to Dismiss. I am enclosing another check for \$25.00 for the motion fee. With warm personal regards, I am,

Sincerely yours,

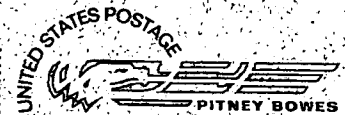
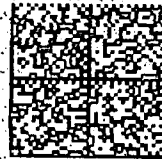


Desa Ballard
Desab@desaballard.com

c. (via US Mail)
Michael Sribnick, Esquire
James B. Spencer

(via Email Only)
Andrew J. Lindermann, Esquire
John Rakowsky, Esquire

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