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August 12, 2016

VIA HAND DELIVERY

V. Claire Allen
Deputy Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RECEIVED

AUG 12 2016

SC Court of Appeals

Re: John Alden Bauer, III v. Beaufort County School District
Appellate Case No. 2016-000955

Dear Ms. Allen:

I am writing as counsel to the Respondent, Beaufort County School District, in the above matter. On July 29, 2016, the Court filed an Order granting in part Respondent's motion to strike Appellant's Designation of Matter and Initial Brief because both contained references to matters not presented to the lower adjudicative bodies. The Order directed Appellant to serve and file an amended Designation of Matter and an amended Initial Brief within 10 days of the Order.

Although Appellant timely served his amended Designation of Matter, which was received by the undersigned on August 9, as of today, Appellant has not yet served an amended Initial Brief. Respondent respectfully asks the Court to dismiss the appeal or take other appropriate action.

Respondent reserves the right object, through the appropriate motion, to the amended Designation of Matter when Appellant has fully complied with the Court's order, on the ground that his Designation still contains numerous matters not in the record of the proceedings below. Appellant continues to list documents by their description rather than by the exhibit numbers assigned in the proceedings below. See Appellant's Amended Designation of Matter p. 4, 7-10. If Appellant believes these documents exist in the record, he should cite to them according to their assigned exhibit numbers, not random descriptors.

Thank you for your consideration of this matter.

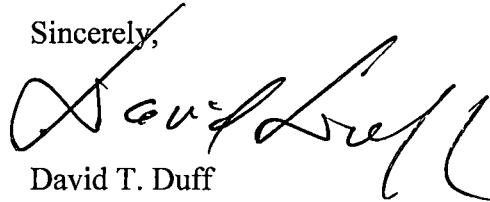
<Signature on Next Page>

Ms. V. Clair Allen

August 12, 2016

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Sincerely,

A handwritten signature in black ink, appearing to read "David T. Duff". The signature is fluid and cursive, with a large initial "D" and a long, sweeping tail.

David T. Duff

/emb

Cc: Mr. John Alden Bauer, III
Drew H. Davis, Esq.
David N. Lyon, Esq.

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