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September 13, 2016

Chief Judge James E. Lockemy
SC COURT OF APPEALS
Post Office Box 11629
Columbia, South Carolina 29211

RE: Clarence Winfrey v. Archway Services, Inc.
Appellate Case Nos.: 2014-001815; 2014-001816; 2014-001788

Dear Chief Judge Lockemy:

I am writing this in your capacity as Chief Judge and would request your direction and assistance on how to proceed in accordance with the Appellate Court Rules for the parties by mutual agreement to request a continuance of the oral argument set for October 4th and a stay of all proceedings before the Court to allow for possible resolution through settlement.

The three above-referenced appeals all arise out of the same workers' compensation claim and have been set before the Court for oral argument on October 4th. In addition to the three appeals, there are also four (4) other actions including a third-party action that is set for mediation in October. The parties have entered into renewed discussions to try to reach a global settlement of all issues in this case. We have had informal discussions and will be having formal discussions over the next couple of weeks which may lead to a global settlement of all issues in this matter. It is for that reason that we are requesting that the oral arguments set for October 4th be cancelled and that all further action be stayed on these appeals and any other matters pending before the Court for either a specific amount of time to be set by the Court and/or for a reasonable time for the parties to notify the Court as to the status of these appeals and all matters pending before the Court.

Counsel for both parties involved in these matters have agreed to and are specifically mutually making this request and are writing you this letter asking for your direction. At most I believe a simple Motion is all that is required pursuant to Rule 216(b) (2) and Rule 261(a) if the Court wants a formal request.

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By copy of this letter, I am confirming our mutual agreement and notifying Mr. Bayne of this communication and request for your direction as to what if anything further is needed to request this continuance and/or stay of all proceedings pending before the SC Court of Appeals at this time.

As always, I appreciate all the courtesies and kindnesses shown to me by the Court and I sincerely appreciate your direction. If Your Honor would like a telephone conference or for us to come to the Court for a conference, Mr. Bayne and I would welcome that.

Sincerely yours,



Preston F. McDaniel


PFM/kth

cc: Brett H. Bayne, Esquire

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