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January 17, 2017

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VIA HAND DELIVERY

Honorable Jenny Abbott Kitchings
Clerk of Court, S.C. Court of Appeals
1220 Senate Street
Columbia, SC 29201

RECEIVED

JAN 17 2017

SC Court of Appeals

RE: Palmetto Wastewater Reclamation, LLC, d/b/a Alpine Utilities,
Plaintiff/Respondent v. RBF Enterprises, LLC, d/b/a McDonald's,
Defendant/Appellant,

C/A No. 2016-CP-32-00474
Appellate Case No. 2016-002272

Dear Ms. Kitchings:

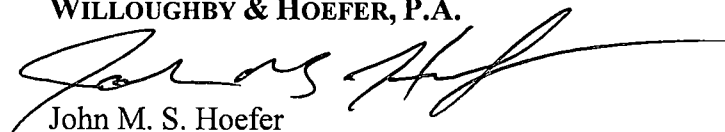
I am writing to apprise the Court that the Respondent does not oppose the January 13, 2017, motion of Appellant for an extension of time within which to file its initial brief in the above-referenced appeal should the case progress to the point that briefs will be filed.

I would note that there is still outstanding Appellant's motion for leave to order the transcript out of time. To the extent that the Court determines not to grant that prior motion, Respondent submits that the appeal should be dismissed for the reasons stated in Respondent's December 20, 2016, return thereto and the instant motion would therefore be moot.

If you have any questions or if you need any additional information, please do not hesitate to contact me. With best regards, I am

Sincerely,

WILLOUGHBY & HOEFER, P.A.


John M. S. Hoefer

JMSH/sw

cc: D. Reece Williams, Esq. (via hand-delivery)
Kathleen M. McDaniel, Esq. (via hand-delivery)

