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Reply to:  
P.O. Box 806  
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January 27, 2017

**VIA OVERNIGHT MAIL**

The Honorable Daniel E. Shearouse  
Clerk of Court  
Supreme Court of South Carolina  
1231 Gervais Street  
Columbia, South Carolina 29201

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**S.C. SUPREME COURT**

Re: The Gates at Williams-Brice v. DDC Construction, Inc.  
Appellate Case No. 2016-002440

**S.C. SUPREME COURT**

Dear Mr. Shearouse:

I represent the Petitioners in this matter and we filed our *Writ of Certiorari* on January 9, 2017.

In the interim, the Parties have reached a settlement which, inter alia, seeks to have the Court of Appeals decision in this matter (Opinion No. 5438, dated August 31, 2016) vacated rather than having the parties incur the risk and expense of further appellate litigation. By this letter, we are submitting this Agreement pursuant to Rule 261(d) for the Court's consideration. As we read the Rule, it does not require a formal motion for submission. If we are incorrect, we will be happy to file a motion.

Additionally, I am enclosing two (2) copies of this letter and Agreement. I would greatly appreciate you returning date stamped copies to my attention in the enclosed self-addressed, stamped envelope.

Respectfully submitted,



Justin O'Toole Lucey, Esq.

cc: Howard A. VanDine, III, A. Mattison Bogan, and Erik T. Norton, Esqs. (via u.s. mail w/ encl.)