

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

FEB 28 2017

SC Court of Appeals

Hon. Perry H. Gravely, Circuit Court Judge

Appellate Case No. 2016-001691
Case No. 2015-CP-23-06023

iStar Tara, LLC, Respondent,

v.

Stevens Aviation, Inc., Greenville County,
South Carolina, and City of Greenville,
South Carolina, Defendants,

Of whom

Stevens Aviation, Inc., is the Appellant.

**WITHDRAWAL OF
MOTION TO STRIKE FOOTNOTE ONE
OF RESPONDENT'S BRIEF**

For the reasons stated herein, Appellant Stevens Aviation, Inc. ("Stevens") hereby withdraws as moot its motion to strike footnote one of the initial brief of Respondent iStar Tara, LLC ("iStar"). Withdrawal of the motion to strike is based on the following:

1. Stevens filed and served its motion to strike footnote one on February 22, 2017.
2. Subsequently, iStar agreed that it would not include footnote one in its final brief, thereby resolving the issue.

3. Because Stevens has now received all of the relief it sought, the motion to strike is moot.

WHEREFORE, Stevens now withdraws its motion to strike.

Respectfully submitted,



Kirsten E. Small
Julio E. Mendoza, Jr.
Kyle Brannon
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Attorneys for Appellant Stevens Aviation, Inc.

February 27, 2017
Greenville, South Carolina

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v.

Stevens Aviation, Inc., Greenville County,
South Carolina, and City of Greenville,
South Carolina, Defendants,

Of whom

Stevens Aviation, Inc., is the Appellant.

CERTIFICATE OF SERVICE

I certify that I have served the foregoing Withdrawal of Motion to Strike Footnote One of Respondent's Brief by depositing a copy of the same in the United States Mail on this 27th day of February, 2017 addressed to the following:

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Nexsen Pruet, LLC

NEXSEN|PRUET

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FEB 28 2017
Kirsten E. Small
Member
Admitted in SC, NC, MD
SC Court of Appeals

February 27, 2017

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

Re: *iStar Tara, LLC v. Stevens Aviation, Inc., et al.*
Appellate Case No. 2016-001691

Dear Ms. Kitchings:

Regarding the above-referenced case, enclosed please find the original and 7 copies of Appellant's Withdrawal of Motion to Strike Footnote One of Respondent's Brief and the Proof of Service. Please return a file stamped copy in the enclosed, postage paid envelope. By copy of this letter, I have served counsel for all parties, as indicated in the Proof of Service.

Sincerely,



Kirsten E. Small

KES/vgp

cc: Counsel of Record

- Charleston
- Charlotte
- Columbia
- Greensboro
- Greenville**
- Hilton Head
- Myrtle Beach
- Raleigh

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FAX TRANSMISSION

TO: Jessica
FAX NO.: 8037341839
FROM: Vivian Yhap
PHONE:
FAX:
DATE: 2/28/2017
RE: Appellate Case 2016-001691 [IWOV-NPGVL1.FID876916]

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NUMBER OF PAGES WITH COVER PAGE: 6

Message:

Jessica,

Per our phone conversation, I have attached the Withdrawal of Motion that was placed in US Mail yesterday. We'll wait for your response before preparing an amended Motion for Extension. Thank you very much for helping us with this matter.

Vivian

Vivian G. Yhap

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