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MAY 30 2017

SC Court of Appeals

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GENERAL & COMPLEX LITIGATION

BUSINESS & CORPORATE LAW

APPELLATE PRACTICE

CRIMINAL DEFENSE

PERSONAL INJURY

May 26, 2017

VIA FACSIMILE & FIRST CLASS MAIL

Ms. Jenny Abbott Kitchings

P.O. Box 11629

Columbia, SC 29211

Re: *Dataw Island Owners Association, Inc. vs. S.C. Asset Management, LLC;*
Dataw Island Club, Inc.
Appellate Case No.: 2017-000833

Dear Ms. Kitchings:

Earlier this week I spoke with your office concerning your letter indicating that the transcripts in the above-referenced appeal had not yet been ordered. During that conversation I indicated that the request for the transcript had previously been submitted during the month of April, at which time the individual in your office with whom I was speaking indicated that it would be sufficient for my office to transmit to the Court the correspondence by which my office had previously requested the transcript. Accordingly, please find enclosed herewith my original letter requesting the transcript and my recent subsequent correspondence with the Court Reporter confirming the dates of the hearings for which we were requesting the transcripts.

Based on my conversation with your office earlier this week, it is my understanding that given the submission of the enclosed correspondence that a Motion to Request Transcript Out of Time (hereinafter "Motion") is not necessary. However, if for any reason the Court does determine a Motion is still necessary, I will be happy to file the Motion upon receipt of that determination, please just let me know and I can transmit the Motion to the Court immediately.

With kindest regards, I am

Truly yours,


Christopher T. Brumback, Esq.
Brumback & Langley, LLC

CTB/

CC: Carmen V. Ganjehsani

Enclosures

BRUMBACK & LANGLEY, LLC

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GENERAL & COMPLEX LITIGATION
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April 18, 2017

VIA FIRST CLASS UNITED STATES MAIL

The Honorable Marvin H. Dukes, III
PO Drawer 1228
Beaufort, SC 29901

Re: Dataw Island Owners Association, Inc. v. S.C. Asset Management Co, LLC; Dataw Island Club, Inc.

Case Number.: 2015-CP-07-2016

Dear Judge Dukes:

I am writing you today on behalf of my client to request the transcript of the original hearing and motion for reconsideration hearing that took place in the above-referenced case for purposes of the appeal that is presently pending before the South Carolina Court of Appeals. We attempted to determine the name of the court reporter but were unable to do so. Please let our office know if this is not the proper place to request the transcript.

With kindest regards, I am

Truly yours,



Christopher T. Brumback, Esq.
Brumback & Langley, LLC

CTB/

cc: James A. Grimsley, III

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SC Court of Appeals

From: Christopher Brumback chris@brumbacklangley.com
Subject: Re: 2015-CP-07-2016; Dataw Island Owners Association, Inc. v. SC Asset Management Co, LLC, et al
Date: May 25, 2017 at 2:16 PM
To: Thomas, Deborah S. dsthomas@bcgov.net



Ms. Thomas,

Thank you for your email memorializing our conversation concerning the transcript request that you received regarding the above-referenced case. Due to the delay in the delivery of the letter requesting the transcripts, by the time you called my office on May 2, 2017, I was out of the office on vacation until May 15, 2017. It was only upon receiving correspondence from the Court of Appeals this week that I realized there had been any issue with the transcript request and production. Accordingly, I appreciate you returning my phone call from earlier this week so quickly so that we could straighten this matter out.

To that effect, to confirm my request for the transcript in question, please prepare the transcripts from the above-referenced case for the trial and hearing on the Motion to Reconsider, which respectively occurred on September 28, 2016 and February 15, 2017. Upon completion of the requested transcripts my office will cause to be remitted to you the customary fee for the preparation of the transcripts. Should you need anything further from my office, please feel free to call or email me.

Best Regards,

Chris

Brumback & Langley, LLC

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connection therewith. Kindly re-transmit by fax any documents containing deadlines. Thank you.

On May 24, 2017, at 9:30 AM, Thomas, Deborah S. <dsthomas@bcgov.net> wrote:

Mr. Brumback,

In accordance with our telephone conversation this morning, I am attaching a copy of your letter dated 4/18/17 requesting transcripts in the above referenced matter. I didn't receive your letter until the week of 5/1/17. I apologize for the delay in responding to your letter. The letter wasn't addressed to me. That may be part of the reason it took so long for me to receive the letter, but that was still an inordinate amount of time.

I called and left you a telephone message on 5/2/17 to let you know I needed the dates of the hearings you were requesting transcripts for.

I was out of the office yesterday, but returned this morning and received your telephone message regarding the request and dates of the hearings. I have pulled my file for the final hearing on 9/28/16 and the motion to reconsider on 2/15/17. I have a few requests ahead of yours, but I will put your request in line and begin working on them as soon as possible. I would expect to have them completed in three or four weeks.

Thank you for your transcript requests. Please feel free to contact me if you have any questions.

Deborah S. Thomas, CVRM
Court Reporter to Judge Dukes
803-206-7390 mbl
843-255-5712 ofc

<brumback letter.pdf>



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25 MAY 2017 PM 4 11



The Honorable Jenny Abbott Kitchings
Clerk of Court, S.C. Court of Appeals
PO Box 11629
Columbia, SC 29211

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