

Morrison Law Firm, LLC

7453 Irmo Drive, Suite B
Columbia, South Carolina 29212

Phone: (803) 661-6285

Fax: (803) 661-6289

E-mail: David@dmorrison-law.com

E-mail: Kassi@dmorrison-law.com

E-mail: Bob@dmorrison-law.com

E-mail: Jordan@dmorrison-law.com

David L. Morrison*
Kassi B. Sandifer
Robert G. Cooper**
J. Jordan Johnson

*Licensed in SC & NC
*Certified Mediator
**Of Counsel

July 3, 2017

RECEIVED

JUL 03 2017

Chief Justice Donald W. Beatty
Supreme Court of South Carolina
1231 Gervais Street
Columbia, SC 29201

S.C. SUPREME COURT

RE: Carolina Convenience Stores, Inc., Harry Lancaster, Jr., as Power of Attorney for Harry Lancaster, Sr. and Willard Oil Company, Inc. v. City of Spartanburg, SC
Appellate Case #: 2012-212473

Dear Chief Justice Beatty:

A few days ago, the parties jointly announced to the Court that this case is resolved. The clerk's office subsequently called and requested that we provide more information and file something in accordance with SCACR 260 or 261. The parties are providing this joint letter to let the Court know the parties' position with regard to the appeal. If we need to file a formal motion, I will be happy to file a motion to dismiss the appeal and let Mr. Langley respond.

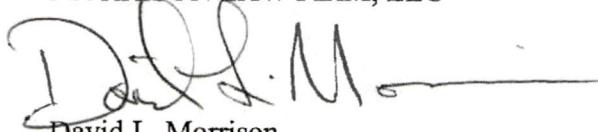
Petitioners position is that this appeal should continue as standing is present. Petitioners claim that this situation is capable of repetition, yet evades review and thus constitutes an situation where the Court should issue an opinion.

Respondent contends that there is no longer a case or controversy and therefore the appeal is moot and should be dismissed. We do not believe that there is any imperative or manifest urgency that requires a ruling since the parties have resolved the case in this distinctive and rare inverse condemnation action. In dismissing the appeal, Respondent recognizes that prior Orders would have to be vacated since the matter is pending re-hearing. We would therefore request vacation of those prior Orders of this Court and the Court of Appeals as well.

Please let me know if we should file a formal motion to dismiss the appeal. The parties have succinctly expressed their positions in this joint letter but will be happy to expound upon them formally in a motion and response, if necessary.

Very truly yours,

MORRISON LAW FIRM, LLC

A handwritten signature in black ink, appearing to read 'D.L.M.', followed by a horizontal line extending to the right.

David L. Morrison

Counsel for Respondent

and

HODGE & LANGLEY LAW FIRM, PC

T. RYAN LANGLEY / BY DLM

T. Ryan Langley

Counsel for Petitioners

WITH
PERMISSION

DLM/cmm