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November 29, 2012

The Honorable Daniel E. Shearouse
Clerk of the South Carolina Supreme Court
P.O. Box 11330
Columbia, South Carolina 29211

RECEIVED

DEC - 4 2012

S.C. Supreme Court

Re: Bill P. Passaloukas and Susie H. Passaloukas, Individually and as Shareholders
Derivatively On Behalf of Zorba's, Inc., Petitioners v Cynthia Bensch, Gary Bensch and
Zorba's, Inc. Of Whom Cynthia Bensch, Gary Bensch are Respondents.

Appellate case Tracking No. 2012-212-958

Dear Mr. Shearouse:

I recently filed a "Notice of Motion and Motion That Court Accept Appendix Containing Un-Redacted Bank Account Numbers". A Certificate of Service was filed at the time showing that the Motion was duly served upon the Respondents, Mr. and Mrs. Bensch at their address of record, 29 Martingale West, Bluffton, SC 29910.

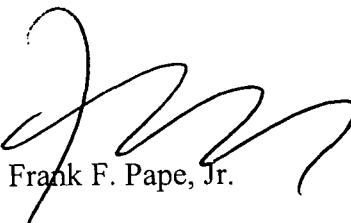
I am now enclosing for filing an Amended Certificate of Mailing. The Amended Certificate is filed to account for the fact that the documents served to Mr. and Mrs. Bensch on November 6, 2012 were not claimed by Mr. and Mrs. Bensch. The envelopes in which the documents were enclosed were returned to me this date.

It is my view that the documents were properly served and that no further action is required on my part. I file this Amended Certificate and again attempt re-service out of an abundance of caution and respect to the Respondents and to the Court.

I await any further instructions from the Court on this matter, if any are required.

With kind regards, I am

Yours very truly,



Frank F. Pape, Jr.

Enclosure: As Stated

CC: Mr. and Mrs. Gary Bensch

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
Marvin Dukes, III, Master in Equity

Opinion No. 2012-UP-274 Filed May 2, 2012
Appellate Case Tracking No. 2012-212-958

Bill Passaloukas and Susie H. Passaloukas,
Individually and as Shareholders Derivatively
On Behalf of Zorba's, Inc.,.....Petitioners,

v.

Cynthia Bensch, Gary Bensch and Zorba's, Inc.,

Of whom Cynthia Bensch and Gary Bensch
are theRespondents.

AMENDED CERTIFICATE OF MAILING

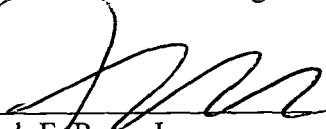
The undersigned certifies that on November 6, 2012 and on November 29, 2012, he served a copy of the Notice of Motion and Motion That Court Accept Appendix Containing Un-Redacted Bank Account Numbers upon Respondents by depositing a true and accurate copy thereof in the United States Mails, sufficient postage pre-paid and addressed as follows:

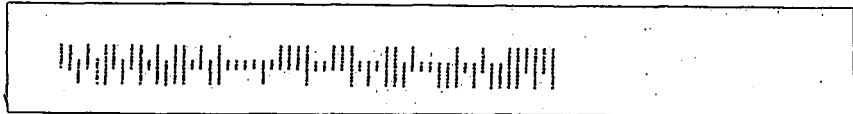
Cynthia M. Bensch
29 Martingale West
Bluffton, S.C. 29910

Gary M. Bensch
29 Martingale West
Bluffton, S.C. 29910

The second attempt at service is due to the fact that on November 29, 2012, the documents served November 6, 20102, were returned-to the undersigned by the United States Post Office as having been unclaimed.

November 29, 2012


Frank F. Pape, Jr.
2952 Crosswycke Forest Circle
P.O. Box 190009
Atlanta, Georgia 31119
1-404-846-0228
Petitioners' Attorney



Masler

FIRST-CLASS MAIL

11/30/2012

US POSTAGE

\$00.90⁰



ZIP 30093
011D11623906

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