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The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RE: Estate of Edward James Mims, Laura M. Cole, Personal Representative v. The South Carolina Department of Disabilities and Special Needs, Kathi Lacy, and Stan Butkus
Appellate Case Number: 2014-001373
Civil Action Number: 2007-CP-40-3365
Claim Number: 44654
Our File Number: 104.7785

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SC Court of Appeals

Dear Ms. Kitchings:

Pursuant to Rule 208(b)(7), S.C.A.C.R., I am responding to the letter of opposing counsel which cites *Timpson v. Haley*, No. CV 6:16-1174-MGL, 2017 WL 3650869 (D.S.C. Aug. 24, 2017). Defendants-Respondents would point out that unlike the present case, the court in *Timpson* did not address either the effect of S.C. Code Ann. § 44-26-90 or the effect on the statute of limitations of the appointment of a representative for the disabled person. Nor did *Harrison v. Bevilacqua*, 354 S.C. 129, 580 S.E.2d 109 (2003), on which *Timpson* relied, address those issues. As set forth at p. 38 of the Brief of Respondents, *Harrison* is therefore inapposite, and *Timpson* adds nothing to the analysis in *Harrison*.

Sincerely yours,

DAVIDSON & LINDEMANN, P.A.



Kenneth P. Woodington

KPW/

cc: Patricia L. Harrison, Esquire

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