



MURPHY & GRANTLAND, P.A.

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September 29, 2017

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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SC Court of Appeals

Re: Beresford Commons HOA, Inc. vs. Penuel Construction, LLC aka Superior, et al.  
Civil Action No.: 2013-CP-08-00179 and 00180  
Appellate Case No.: 2017-000202  
Claim No.: 61 39 AC 221437  
Insured: Penuel Construction, LLC  
Our File No.: 1150-0740

Dear Ms. Kitchings:

I hate to trouble the Court any further in this regard, but Appellant has never consented to any dismissal of this appeal. One of the terms of the settlement agreement, should it be finalized and executed, is that Appellant will dismiss this appeal. Appellant has advised this Court that the parties are working on a settlement agreement in order to avoid waste of judicial resources. As I understand it, we are close to finalizing the settlement. Once that happens, Appellant will formally dismiss this appeal.

Sincerely,

Timothy J. Newton

TJN/sb

cc: Amanda Blundy, Esquire  
Phillip W. Segui, Jr., Esquire  
Albert A. Lacour, III, Esquire  
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