



MURPHY & GRANTLAND, P.A.

Timothy J. Newton
Direct dial 803-454-1242
tnewton@murphygrantland.com

September 29, 2017

RECEIVED
OCT 02 2017
SC Court of Appeals

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

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:

It has come to my attention that Respondent's Initial Brief and Designation of Matter are or may be due Monday, October 2, 2017. Please allow this letter to serve as a consent motion to extend Respondent's deadline. It appears that this Court's Order filed July 21, 2017 indicated no further extension would be granted absent extraordinary circumstances. Appellant reiterates that the parties are nearing finalization of a settlement that, if consummated, will moot this appeal. I apologize for any confusion—it has taken a little longer to negotiate the terms of the settlement than we initially thought. If a formal motion is required, it will be provided.

I would also like to take this opportunity to say that I did not intend to disparage opposing counsel or accuse anyone of an ethical violation. I was simply surprised to find that my client's appeal was dismissed without any input from me. It seems the dismissal was due to a misunderstanding.

Sincerely,

Timothy J. Newton

TJN/sb

cc: Amanda Blundy, Esquire
Phillip W. Segui, Jr., Esquire
Albert A. Lacour, III, Esquire
Mr. John Blanton O'Neal IV
John T. Chakeris, Esquire
Roselyn W. Frierson
Cindy Thomas (via email)

Murphy & Grantland, P.A.
P.O. Box 6648
Columbia, SC 29260

neopost[®]
09/29/2017

FIRST-CLASS MAIL

US POSTAGE

\$00.46⁰



ZIP 29206
041L11237292

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

RECEIVED

OCT 02 2017

SC Court of Appeals

29211\$1629 B012

