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March 12, 2018

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SC Court of Appeals

V. Claire Allen, Deputy Clerk  
S.C. Court of Appeals  
P. O. Box 11629  
Columbia, SC 29211

**RE: Jerry Bruce, Appellant vs. Morphy Auctions, Inc., Respondent  
Appellate Case No.: 2018-000268**

Dear Ms. Allen:

The appellant is advised that there is no transcript for the trial of this case.

By way of background, the first trial was held October 6, 2016 which resulted in a judgment for the appellant. FedEx moved for a new trial and it was granted. The judge was Magistrate Simms.

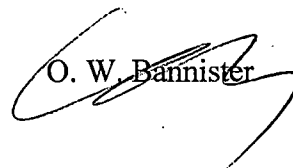
A second trial was held on February 2, 2017. Judge Simms issued an order on February 6, 2017 ordering another trial.

Magistrate Judge Stokes conducted the third trial on April 4, 2017. Appellant is advised that Judge Stokes did not keep the tapes of the recorded trial.

I will propose to the respondent that we stipulate the salient facts necessary for this appeal.

Yours truly,

BANNISTER, WYATT & STALVEY, LLC

  
O. W. Bannister

OWB/tjc

cc: The Hon. Robert F. Simms  
The Hon. Michael Stokes  
Court Administration  
Adam C. Bach, Esq.

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