

Ogletree Deakins

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

Attorneys at Law

The Ogletree Building
300 North Main Street, Suite 500
Greenville, SC 29601
Telephone: 864.271.1300
Facsimile: 864.242.0037
www.ogletree.com

Charles E. McDonald III
864.241.1813
charles.mcdonald@ogletree.com

September 11, 2018

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

RECEIVED

SEP 17 2018

SC Court of Appeals

RE: *Milton Jones, Jr., et al. v. CertusBank, N.A. and CertusHoldings, Inc.*
Ex parte: Federal Deposit Insurance Corporation, Intervenor
Appellate Case No.: 2018-000212

Dear Ms. Kitchings,

We are writing with a status update on the above-referenced Appeal pursuant to the Court's May 4, 2018 Order.

As previously mentioned, Certus filed a supplemental proceeding in the United States District Court for the District of South Carolina on February 9, 2018, against the FDIC and Respondents Milton Jones, Jr., Walter Davis, and Angela Webb seeking declaratory judgment and a decision pursuant to the Administrative Procedures Act regarding the underlying claims in this matter (6:18-cv-00390-AMQ). Respondents filed a Motion to Dismiss the supplemental proceedings in Federal District Court on March 9, 2018.

United States District Judge Marvin Quattlebaum issued an Order on September 4, 2018 denying the motion to dismiss and affirming that the United States District Court has jurisdiction over the claims in the lawsuit. That action is proceeding in federal court and we will provide an additional update in 60 days.

Sincerely,



Charles E. McDonald III

CEM/rls

cc: Richard A. Harpootlian, Esq.
Buddy Parker, Esq.
Williams S. F. Freeman, Esq.

35544740.1

Ogletree Deakins

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

The Ogletree Building
300 North Main Street
Suite 500
Greenville, SC 29601

GREENVILLE
SC 296
12 SEP 2018
PM 4 L



U.S. POSTAGE >> PITNEY BOWES



ZIP 29601 \$ 000.47⁰
02 4W
0000350651 SEP. 11. 2018

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

RECEIVED
SEP 17 2018
SC Court of Appeals

20211-162929

