



December 19, 2018

**RECEIVED**  
DEC 20 2018  
SC Court of Appeals

Womble Bond Dickinson (US) LLP

Post Office Box 999  
Charleston, SC 29402

5 Exchange Street  
Charleston, SC 29401

t: 843.722.3400

f: 843.723.7398

Charles J. Baker, III

Direct Dial: 843-720-4619

[chuck.baker@wbd-us.com](mailto:chuck.baker@wbd-us.com)

**VIA FEDERAL EXPRESS**

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

RE: 241-243 E. Bay Holdings, LLC v. The City of Charleston, The City of Charleston Board  
of Zoning Appeals-Zoning, Apex Real Property, LLC and East Bay 7, LLC  
Appellate Case No. 2018-000907  
WBD File No. 80833.0045.1

Dear Ms. Kitchings:

Enclosed for filing please find the unbound original and fourteen (14) bound copies of the *Brief of Respondent Apex Real Property, LLC* in the above-referenced action. The *Proof of Service* and the *Certificate of Counsel* are bound with the brief. Please return a file-stamped copy to me via the enclosed self-addressed, stamped envelope.

By copy of this letter with enclosures, we are serving the same on counsel for the Appellant and Respondents City of Charleston and City of Charleston Board of Zoning Appeals-Zoning. Thank you in advance for your attention to this request. Please do not hesitate to call with any questions or concerns.

Very truly yours,

**WOMBLE BOND DICKINSON (US) LLP**

A handwritten signature in black ink, appearing to read "Charles J. Baker, III", written over a horizontal line.

Charles J. Baker, III

CJB/jva

Enclosures

cc: Alice F. Paylor, Esquire w/Enclosures  
Daniel S. McQueeney, Jr., Esquire w/Enclosures

ORIGIN ID:RBWA (843) 722-3400  
JADE ALDERMAN  
WOMBLE BOND DICKINSON (US) LLP  
5 EXCHANGE STREET

CHARLESTON, SC 29401  
UNITED STATES US

SHIP DATE: 19DEC18  
ACTWGT: 1.00 LB  
CAD: 112122731/WXSX13200

BILL SENDER

TO HONORABLE JENNY ABBOTT KITCHINGS  
CLERK, SOUTH CAROLINA COURT OF APPE  
1220 SENATE ST

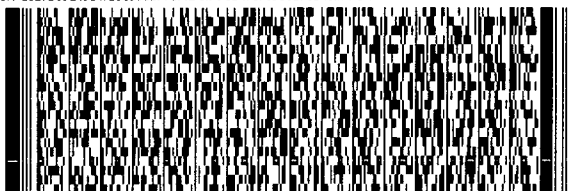
COLUMBIA SC 29201

(803) 734-1890

REF: 80333-0045.1/2900

INV:  
PO:

DEPT:



553JL2E4F0CA5

318211081501ur

THU - 20 DEC 10:30A  
PRIORITY OVERNIGHT

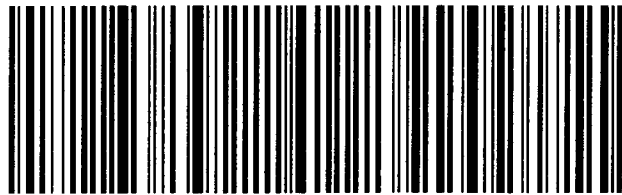
TRK# 7845 5888 5837  
0201

ASR

29201

SC-US CAE

28 USCA



RECEIVED

DEC 20 2018

SC Court of Appeals

FOLD on this line and place in shipping pouch with bar code and delivery address visible

1. Fold the first printed page in half and use as the shipping label.
2. Place the label in a waybill pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.
3. Keep the second page as a receipt for your records. The receipt contains the terms and conditions of shipping and information useful for tracking your package.

**Legal Terms and Conditions**

Tendering packages by using this system constitutes your agreement to the service conditions for the transportation of your shipments as found in the applicable FedEx Service Guide, available upon request. FedEx will not be responsible for any claim in excess of the applicable declared value, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the applicable FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of 100 USD or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is 500 USD, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see applicable FedEx Service Guide. FedEx will not be liable for loss or damage to prohibited items in any event or for your acts or omissions, including, without limitation, improper or insufficient packaging, securing, marking or addressing, or the acts or omissions of the recipient or anyone else with an interest in the package. See the applicable FedEx Service Guide for complete terms and conditions. To obtain information regarding how to file a claim or to obtain a Service Guide, please call 1-800-GO-FEDEX (1-800-463-3339).