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S.C. SUPREME COURT

EXHIBIT A

From: [Seals, William Law Clerk \(Christopher Kinon\)](#)
To: [Chad Johnston](#); [Lambert, Grayson](#)
Cc: [John Hoefer](#); [Golding, Henrietta](#); [Artigliere, Adam](#); [Walker Humphrey](#)
Subject: RE: City of Myrtle Beach v. Horry County 2019-CP-26-1732
Date: Thursday, June 6, 2019 2:22:58 PM

Mr. Johnston,

The memorandums are to be emailed to the Court and not shared with opposing counsel. In regards to the mistakes in the previous memorandum, they are fine as long as we have the exhibits in the reply memorandum. Please email the memorandums by five o'clock. If I can be of further assistance please let me know.

Best,

Chris Kinon
Law Clerk to the Honorable William H. Seals, Jr.
Circuit Court Judge, At-Large, Seat 6
103 North Main Street
Marion, South Carolina 29571
Ph: (843) 423-0446 | Cell: (843) 340-0892 | Fax: (843) 423-0535

-----Original Message-----

From: Chad Johnston <CJohnston@Willoughbyhoefer.com>
Sent: Thursday, June 6, 2019 12:35 PM
To: Seals, William Law Clerk (Christopher Kinon) <wsealslc@sccourts.org>; Lambert, Grayson <GLambert@burr.com>
Cc: John Hoefer <JHoefer@Willoughbyhoefer.com>; Golding, Henrietta <HGolding@burr.com>; Artigliere, Adam <AArtigliere@burr.com>; Walker Humphrey <WHumphrey@Willoughbyhoefer.com>
Subject: RE: City of Myrtle Beach v. Horry County 2019-CP-26-1732

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Mr. Kinon,

Thank you for your responses yesterday on the deadline and page limit for the hearing brief. I write once more to get your guidance on two additional issues:

- As to the hearing brief, would the Court like the parties to file these memoranda through the e-file system and subsequently provide a filed-stamped version to you, or merely provide the memoranda to you directly without e-filing same? Also, if the documents are submitted directly to the Court, is it your intention that the memoranda be shared simultaneously with opposing counsel, similar to a pre-trial brief under Rule 16(c), at the same time and by the same means? If so, please advise the parties as to the Court's preferred time of receipt of these memoranda.

- Second, in preparing for next week's hearing, the City discovered an error in its memorandum in support of its motion for preliminary injunction, filed May 3, 2019. The memo references two different "Exhibit P" documents and two different "Exhibit Q" documents, by mistake, and as a result the City attached only two of the four explicitly referenced documents to its memorandum. I would further add that, although the two omitted exhibits were not attached to our primary memo, they were attached as Exhibits B and C to the City's reply memorandum in support of preliminary injunction and are therefore already before the Court.

However, in light of the initial filing error, we are seeking the Court's guidance as to whether it would like this error corrected and, if so, its preferred method of correcting this typographical and e-filing mistake. If the Court is inclined towards correction, we would propose e-filing a substitute memorandum, whose only change would be the references to Horry County Council Meeting Minutes on April 18, 2017, as Exhibit "R" on page 18 of the memo (instead of Exhibit P), and Horry County Council Meeting Minutes on May 2, 2017, as Exhibit "S" on pages 18 and 19 of the memo (instead of Exhibit Q), along with attaching the correct Exhibits R and S to this substitute memorandum. Please advise if the Court is amenable to this suggested course of correction, would prefer an alternative method, or no correction at all.

Thank you in advance for your time and guidance on these issues.

Best regards,

Chad Johnston
Willoughby & Hoefler, P.A.
(803) 771-2126 (o)
(803) 665-3147 (m)

-----Original Message-----

From: Seals, William Law Clerk (Christopher Kinon) <wsealsc@sccourts.org>
Sent: Wednesday, June 5, 2019 2:12 PM
To: Lambert, Grayson <GLambert@burr.com>
Cc: John Hoefler <JHoefler@Willoughbyhoefler.com>; Golding, Henrietta <HGolding@burr.com>; Artigliere, Adam <AArtigliere@burr.com>; Walker Humphrey <WHumphrey@Willoughbyhoefler.com>; Chad Johnston <CJohnston@Willoughbyhoefler.com>
Subject: Re: City of Myrtle Beach v. Horry County 2019-CP-26-1732

8 pages maximum.

Chris Kinon
Law Clerk to the Honorable William H. Seals, Jr.
Cell: (843)-340-0892

Sent from my iPhone

On Jun 5, 2019, at 2:04 PM, Lambert, Grayson <GLambert@burr.com<<mailto:GLambert@burr.com>>> wrote:

*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. *** Mr. Kinon,

Our understanding is that the brief was to be limited to 5-6 pages. Please let us know how many pages Judge Seals wants from each side.

Regards,
Grayson

[Burr & Forman LLP Logo]
AL • DE • FL • GA
MS • NC • SC • TN

Grayson Lambert • Associate

1221 Main St., Suite 1800, Columbia, South Carolina 29201 main 803-799-9800 • fax 803-753-3278
glambert@burr.com <<mailto:glambert@burr.com>> • [https://urldefense.proofpoint.com/v2/url?u=http-3A__www.burr.com_2019_01_04_burr-2Dforman-2Dand-2Dmcnair-2Dlaw-2Dfirm-2Dofficially-2Djoin-2Dforces_-3Futm-5Fsource-3Dpress-2Drelease-26utm-5Fmedium-3Demail-26utm-5Fcampaign-3Dmcnair-5Fsignature&d=DwMGaQ&c=YGvVmrQQ6VQOFx3Z93C9uQ&r=iKpBG--2oHp3-vnY_aBu12ntDLCMSKvh_iYt18J9hY&m=L2J_--wrlORQ8UPezksnHY_PQpgileR3lgE02E3yLN0&s=S4HHEdp76FLW3eDjMubH_kufS1r8erQD3toKhAseI18&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.burr.com&d=DwlGaQ&c=YGvVmrQQ6VQOFx3Z93C9uQ&r=iKpBG--2oHp3-vnY_aBu12ntDLCMSKvh_iYt18J9hY&m=cPtZhc3J34O6Td01bls06gajZXkpzz04pOZRE3azK4k&s=OT0gmW_xAwgxcZG5-X40fkXYAzjvDxPZs9OZ2NSkXo&e=<https://urldefense.proofpoint.com/v2/url?u=http-3A__www.burr.com&d=DwMGaQ&c=YGvVmrQQ6VQOFx3Z93C9uQ&r=iKpBG--2oHp3-vnY_aBu12ntDLCMSKvh_iYt18J9hY&m=L2J_--wrlORQ8UPezksnHY_PQpgileR3lgE02E3yLN0&s=S4HHEdp76FLW3eDjMubH_kufS1r8erQD3toKhAseI18&e=>)

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360 Attorneys. 19 Offices. 1 Firm. Southeast Strong.

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From: John Hoefler [<mailto:JHoefler@Willoughbyhoefler.com>]

Sent: Wednesday, June 05, 2019 2:02 PM

To: Lambert, Grayson <GLambert@burr.com<<mailto:GLambert@burr.com>>>; Seals, William Law Clerk (Christopher Kinon) <wsealslc@sccourts.org<<mailto:wsealslc@sccourts.org>>>

Cc: Golding, Henrietta <HGolding@burr.com<<mailto:HGolding@burr.com>>>; Artigliere, Adam <AArtigliere@burr.com<<mailto:AArtigliere@burr.com>>>; Walker Humphrey <WHumphrey@Willoughbyhoefer.com<<mailto:WHumphrey@Willoughbyhoefer.com>>>; Chad Johnston <CJohnston@Willoughbyhoefer.com<<mailto:CJohnston@Willoughbyhoefer.com>>>

Subject: RE: City of Myrtle Beach v. Horry County 2019-CP-26-1732

Mr. Kinon: That is plaintiffs' understanding. Also, would you mind confirm that the briefs are limited to 8 pages? Thank you.

John Hoefler

-----Original Message-----

From: Lambert, Grayson <GLambert@burr.com<<mailto:GLambert@burr.com>>>

Sent: Wednesday, June 5, 2019 1:53 PM

To: Seals, William Law Clerk (Christopher Kinon) <wsealslc@sccourts.org<<mailto:wsealslc@sccourts.org>>>; John Hoefler <JHoefler@Willoughbyhoefer.com<<mailto:JHoefler@Willoughbyhoefer.com>>>

Cc: Golding, Henrietta <HGolding@burr.com<<mailto:HGolding@burr.com>>>; Artigliere, Adam <AArtigliere@burr.com<<mailto:AArtigliere@burr.com>>>; Walker Humphrey <WHumphrey@Willoughbyhoefer.com<<mailto:WHumphrey@Willoughbyhoefer.com>>>; Chad Johnston <CJohnston@Willoughbyhoefer.com<<mailto:CJohnston@Willoughbyhoefer.com>>>

Subject: RE: City of Myrtle Beach v. Horry County 2019-CP-26-1732

Mr. Kinon,

We wanted to confirm that tomorrow (June 6) is the due date for the hearing memoranda that Judge Seals requested during the parties telephone status conference.

Thanks,
Grayson

Grayson Lambert - Associate

Burr Forman McNair

1221 Main St., Suite 1800, Columbia, South Carolina 29201 main 803-799-9800 - fax 803-753-3278

glambert@burr.com<<mailto:glambert@burr.com>> - https://urldefense.proofpoint.com/v2/url?u=http-3A-www.burr.com&d=DwIGaQ&c=YGvVmrQQ6VQOFx3Z93C9uQ&r=iKpBG--2oHp3-vnY_aBu12ntDLCMSKvh_iYt18J9hY&m=cPtZhc3J34O6Td01bIs06gajZXkpzz04pOZRE3azK4k&s=OT0gmW_xAwgxCzG5-X4OfkXYAzjvDxPZs9OZ2NSkXo&e=<https://urldefense.proofpoint.com/v2/url?u=http-3A-www.burr.com&d=DwMGaQ&c=YGvVmrQQ6VQOFx3Z93C9uQ&r=iKpBG--2oHp3-vnY_aBu12ntDLCMSKvh_iYt18J9hY&m=L2J--wrlORQ8UPezksnHY_PQpgleR3IeE02E3vLN0&s=ELDGFkCBOTzB6f1oCK6hlfhj85J_xQpvML2hcNmShI&e=>

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