

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

The Honorable Brian M. Gibbons

Case No. 2018-CP-18-2066  
Appellate Case No. 2019-001182

**RECEIVED**  
NOV 12 2019  
SC Court of Appeals

Wescott Apartments, LLC ..... Respondent

v.

LMW, LLP and William E. Bailey, individually ..... Defendants

LMW, LLP ..... Third-Party Plaintiff/Appellant

v.

Brabham Construction, LLC,  
Front Street Construction Services, LLC,  
Westcott Apartments, LLC, and Travelers  
Casualty and Surety Company of America, ..... Third-Party Defendants

Of Which

Front Street Construction Services, LLC,  
Westcott Apartments, LLC, and Travelers  
Casualty and Surety Company of America, are, ..... Respondents.

**AGREED DISMISSAL OF APPEAL WITH PREJUDICE**

Pursuant to Rule 260(b), SCACR, Appellants LMW, LLP and Respondents Front Street Construction Services, LLC, Wescott Apartments, LLC and Travelers Casualty and Surety Company of America, by and through their undersigned attorneys, hereby agree to a dismissal of the above-captioned appeal with prejudice. The parties request that this Court enter an Order of Dismissal. Each party shall bear its own costs.

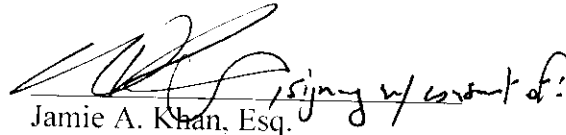
WE SO AGREE:

SMITH | CLOSSER | WHEELER, P.A.



William K. Kalivas, Esq.  
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*Attorney for the Appellant*

MCCULLOUGH KHAN, LLC



Jamie A. Khan, Esq. *signing w/ consent of:*  
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Charleston, SC 29401  
843-937-0400  
*Attorney for the Respondents*

November 7, 2019

# Smith | Closser | Wheeler, P.A.

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November 7, 2019

**VIA FIRST CLASS MAIL**

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

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SC Court of Appeals

RE: Wescott Apartments, LLC v. LMW, LLP, et al.  
Appellant - LMW, LLP  
Appellate Case No. 2019-001182  
SCW File No. 18-328

Dear Ms. Allen.

Attached please find a joint agreement to dismiss the appeal pursuant to Rule 260(b), SCACR. Please let me know if you need anything else to process this request. All parties to this appeal have been copied on this correspondence.

If you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,



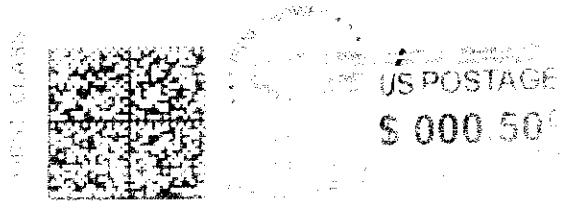
William K. Kalivas

cc: Jamie A. Khan, Esquire  
John D. Harrell, Sr., Esquire  
Robert W. Harrell, III, Esquire

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V. Claire Allen, Deputy Clerk  
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