

J. GREGORY STUDEMMEYERA Professional Corporation
Attorney at Law1701 Richland Street | Post Office Box 12201
Columbia, South Carolina 29211-2201J. Gregory Studemeyer
gesquire54@gmail.comRyan Studemeyer
ryanstudemeyer@gmail.com

December 2, 2019

**via FAX (803) 734-1839 and
Confirmed by U.S. Mail**The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211**RECEIVED**
DEC 02 2019
SC Court of AppealsRe: Mathes Auto Sales v. Dixon Automotive
Appellate Case No. 2019-000297

Dear Ms. Kitchings:

I represent the Respondent/Appellant in the above matter. Ron Stanley represents Appellants/Respondents, Otis Morris, Jr. and Pro Bowl Motors, Inc., and Leland Greeley represents Appellants/Respondents, Gerald Scott Dixon, Michael Tyrone Moore, and Dixon's Automotive, LLC.

I received your letter dated November 22, 2019. As reflected in your letter, both the Record on Appeal and an Appendix to the Record on Appeal have now been filed. Final briefs are due by December 11, 2019. Unfortunately, the record is still not complete.

Mr. Greeley originally designated Defendants' Exhibits 2, 3, 4, and 5 in paragraph 6 of his Designation of Matter to be Included in the Record on Appeal. I prefaced my designation of matter with, "In addition to those matters proposed to be included in the Record on Appeal by Appellants/Respondents, Respondent/Appellant also proposes that the following be included . . .". Thus, both of us designated Defendants' Exhibits 2, 3, 4, and 5 be included in the record on appeal. Unfortunately, those exhibits are not included in the Record on Appeal or in the Appendix to the Record on Appeal.

In addition to the above, while I was attempting to conform my initial briefs to final form last week, I recognized that although I had referred to Vol. II, page 133 of the Transcript on page 4 of my Initial Brief Of Respondent/Appellant and Plaintiff's Exhibit #38 on page 9, I failed to designate those two documents in my designation of matter to be included in the record on appeal.

I need Defendants' Exhibits 2, 3, 4, and 5, page 133 of Vol. II of the Transcript, and Plaintiff's Exhibit #38 to be included in the record in order to prepare my final briefs. I have consulted in writing with opposing counsel but as of the close of business on Wednesday before Thanksgiving, had not resolved this matter. Since final briefs are due a week from Wednesday, I thought it best to bring this to the Court's attention.

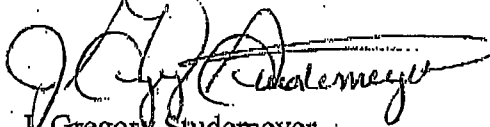
The Honorable Jenny Abbott Kitchings

December 2, 2019

Page 2

If I can simply submit copies of the missing documents pursuant to Rule 212(a), SCACR, I am happy to do so and can complete my final briefs without further delay.

Sincerely,



J. Gregory Studemeyer

cc: Leland B. Greeley, Esq via email and Confirmed by U.S. Mail
H. Ronald Stanley, Esq. via email and Confirmed by U.S. Mail
Mr. John N. Mathes