

***G. Gibson & Associates, LLC***

Grant H. Gibson, Esq.  
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February 22, 2020

**BY: USPS**

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

**Re: Raymond A. Wedlake v. Benjamin Acord, et al**  
**Appellate Case No. 2018-001209**  
**Common Pleas Case No. 2017-CP-23-6301**  
**Final Letter in Reply**

**RECEIVED**  
FEB 26 2020  
SC Court of Appeals

Dear Ms. Kitchings:

Please find enclosed our prior letters, both dated January 29, 2020, the first being a transmittal letter to you, attaching a Letter to the Court regarding my Client's Appeal from denial of his request for a Declaratory Judgment on interpretation his Homeowner Association By-Laws.

We have received a grant of an extension to Reply; however, per these prior letters, my Client, with my agreement, has requested that the Letter to the Court, dated January 29 and once again attached, serve as our final response regarding Respondent's Motion to Dismiss, which was denied by his Honorable Court, subject to Respondent's right to submit a New Initial Brief on the Issue of Mootness. Per such Letter to the Court, my Client, Appellant, has requested an expedited review of our prior Final Brief and Final Record on Appeal, submitted well over a year ago.

Should you have any questions or concerns, please do not hesitate to contact me.

Thank you!

Respectfully submitted,

GRANT H. GIBSON, ESQ.  
Counsel for Appellant – Raymond Wedlake

Grant H. Gibson, Esq. Bar #: 0009269  
661 W. Johns Creek Pkwy.  
St. Augustine, Fl. 32092  
Tel: (864) 630-7471  
[atty@ggibsonassociates.com](mailto:atty@ggibsonassociates.com)

Enc. Letter In final Response Regarding Respondent's Motion to Dismiss

cc. Ely Grote (via U.S. Mail, with Enclosed Letter)

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January 29, 2020

**BY: PRIORITY MAIL**

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

**Re: Raymond A. Wedlake v. Benjamin Acord, et al**  
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Dear Ms. Kitchings:

Please find enclosed our Letter to the Court regarding my Client's Appeal from denial of his request for a Declaratory Judgment on interpretation his Homeowner Association By-Laws.

My Client, with my agreement, has requested that this Letter serve as our final response regarding Respondent's Motion to Dismiss, which was denied by his Honorable Court, subject to Respondent's right to submit a New Initial Brief on the Issue of Mootness.

Should you have any questions or concerns, please do not hesitate to contact me.

Thank you!

Respectfully submitted,

GRANT H. GIBSON, ESQ.  
Counsel for Appellant – Raymond Wedlake

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Enc. Letter In final Response Regarding Respondent's Motion to Dismiss

cc. Ely Grote (via U.S. Mail, with Enclosed Motion)

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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APPEAL FROM GREENVILLE COUNTY

Court of Common Pleas

Charles B. Simmons, Jr., Master In Equity

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Appellate Case No. 2018-001209

Common Pleas Case No. 2017-CP-23-06301

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**RECEIVED**  
FEB 26 2020  
SC Court of Appeals

Raymond A. Wedlake, individually and  
derivatively, on behalf of all Members of  
Woodington Homeowners' Association, Inc. ....Appellant,

v.

Benjamin Acord, William CRAIGO, Denis  
Esteve, and Brian James in their capacity  
as the current Board of Directors of the  
Woodington Homeowners' Association, Inc. .... Respondents.

**APPELLANT'S LETTER TO COURT**

**FINAL SUBMISSION RE DENIAL OF RESPONDENT'S MOTION TO DISMISS  
WITH GRANT BY COURT FOR RESPONDENT TO FILE A NEW INITIAL BRIEF  
ON SUBJECT OF MOOTNESS**

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Comes Now, Appellant, thru his counsel, Grant Gibson, to provide this letter to the Court to  
Respondent's Motion to Dismiss which was denied by this Honorable Court, subject to a  
grant by the Court for Respondent to file a new initial brief on the issue of Mootness.

**Re: Appellate Case No. 2018-001209 - Common Pleas Case No. 2017-CP-23-06301**

**Wedlake (individually and derivatively) v. Bashor, et al. – Letter to the Court**

Your Honors:

We present this letter on behalf of our Client, Raymond Wedlake, individually and derivatively. My client, with my agreement, wishes for this Honorable Court to accept Appellant's Prior Submissions of it's Final Brief and Final Record on Appeal of over a year ago, along with this Letter on Behalf of Appellant, regarding Respondent's submissions to the Court's Denial of Respondent's Motion to Dismiss, granting leave to Respondent to re-submit Respondent's Initial Brief on the Issue of Mootness. We respectfully would make the following points:

Respondent's submissions are improper as this Honorable Court, in denying Respondent's Motion to Dismiss, stated that he may submit anew an Initial Brief **on the issue of Mootness**; his New Initial Brief is, basically, simply a reiteration of all his previous arguments on all issues.

Respondent's submission raises no new issues of substance regarding Mootness, which were addressed at the trial court, subsequently with the Master in Equity, and in Respondent's Initial Brief, Final Brief and the Final Record on Appeal submitted over a year ago.

Respondent states that all the members of the Board have resigned when in fact there was already an election of a new Board in April 2018, as mandated annually. Interpretation of the By-Laws, as here, by a Request for a Declaratory Judgment, does not rest on the composition of the Board and is an ongoing issue.

Respondent's citation of two new cases raises no new issues or arguments not previously raised by Respondent and addressed in Appellant's Final Brief and the Final Record on Appeal, and, in fact, a careful reading shows such cases to be favorable to Appellant.

Appellant simply wants this Court to acknowledge his right to a decision on the merits for his simple request for a Declaratory Judgment.

In the event this Honorable Court requires a more formal submission, then Appellant would respectfully request the Court to proceed on the basis of Appellant's prior submissions, over a year ago now, of Appellant's Final Brief and the Final Record on Appeal, along with this Letter, and to proceed as promptly as possible to a decision on the merits of this Appeal.

Respectfully Submitted this 29<sup>th</sup> day of January,

*G. H. Gibson, Esq.*

Grant H. Gibson, Esq. – Counsel for Appellant

cc. Ely Grote, Esq. – Counsel for Respondent

**THE STATE OF SOUTH CAROLINA**

**In the Court of Appeals**

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**APPEAL FROM GREENVILLE COUNTY**

**Court of Common Pleas**

**Charles B. Simmons, Jr., Master In Equity**

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**RECEIVED**

**FEB 26 2020**

**Appellate Case No. 2018-001209**

**Common Pleas Case No. 2017-CP-23-06301**

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**SC Court of Appeals**

Raymond A. Wedlake, individually and  
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v.

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Esteve, and Brian James in their capacity  
as the current Board of Directors of the  
Woodington Homeowners' Association, Inc. .... Respondents.

---

**CERTIFICATE OF SERVICE**

The undersigned, Grant H. Gibson, Esq., caused to be mailed the transmittal Letter to the Court, dated this 22 day of January, to Counsel for Respondent, Ely Grote, Esq., together with attached prior Letters, one to Ms. Kitchens and one to the Court, each dated this 29th day of January, by placing them in first class mail, USPS to his address c/o:

McCabe Trotter & Beverly, PC,  
P.O. Box 212069 (29221)  
Columbia, SC 29221

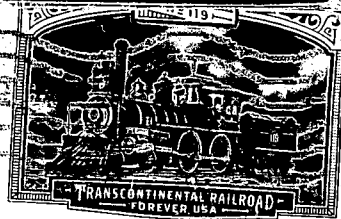
Grant H. Gibson, Esq. 

cc. Ely Grote, Esq. – Enc. Letters to the Court

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JACKSONVILLE FL 320

22 FEB 2020 FNS 1



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FEB 26 2020

SC Court of Appeals

The Honorable Jenny Abbot Kitchens  
Clerk of Court, S.C. Court of Appeals  
1220 Senate Street  
Columbia, SC

29201