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February 20, 2013

Jenny Abbott Kitchings
Clerk of Court
South Carolina Court Of Appeals
P.O. Box 11629
Columbia, SC 29211

**Re: Kerry Levi v. Northern Anderson County EMS
Berkshire Hathaway Homestate Companies
Date of Injury: 03/29/2011, WCC File No: 1104304
CB&S File No. 08020-53203**

Dear Ms. Kitchings:

Enclosed is Respondents' Return To The Motion To Stay The Appeal in the above-referenced matter. I am in receipt of your letter dated February 12, 2013 regarding the above-referenced matter. The attorney for the Claimant/Appellant has filed a motion to hold the appeal in this matter in abeyance pending the potential of mediation of the claim.

On Friday, February 15, 2013, my client, Berkshire Hathaway Homestate Insurance Company advised me that they do not believe that there is any potential for mediation of the claim. Therefore, I would appreciate it if you would issue an Order giving Appellant 30 days to file his initial brief and designation of matter.


Yours truly,

CONSTANGY, BROOKS & SMITH, LLP



David H. Keller

DHK/dhf
Enclosure



FEB 22 2013

SC Court of Appeals

cc: John S. Nichols, Esq. (w/enclosure)