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February 5, 2021

**VIA EMAIL ONLY** ([ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org))

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

**RECEIVED**

**Feb 05 2021**

**SC Court of Appeals**

Re: Ex Parte, Ryan Powell, In re LB PARK, LLC v. San Juan Holdings, Brett Osborne trustee,  
et al.; C.A. No.: 2019-CP-46-00310  
Appellate Case No.: 2019-000979

Dear Ms. Kitchings:

Pursuant to the Court's order in this matter dated October 15, 2019 granting LB Park, LLC's motion to remand, the Respondent writes to apprise the Court on the status of the remand.

Since the last update, discovery is ongoing. A mediation with the appointed mediator was tentatively set for January 14, 2021. Mr. Powell indicated to the mediator that he was unavailable on that date. Counsel for LB Park has corresponded with Mr. Powell via letter and email requesting dates for a mediation. At this time, Mr. Powell has not responded to that request.

On January 19, 2021, the Circuit Court heard Mr. Powell's Motion to Strike Plaintiff's affirmative defenses to Mr. Powell's counterclaim. The motion was denied on January 27, 2021.

Thank you for your continued time and attention to this matter.

Sincerely,

HAYNSWORTH SINKLER BOYD, P.A.



Sarah P. Spruill

SPS/jmb

cc: Ryan Powell  
Brett Osborne  
A. Parker Barnes, III (via email only)  
Andrew M. Rawl (via email only)