



Margaret Miles Bluestein  
John Shannon Nichols  
Stacy Elizabeth Thompson  
John Dennis Delgado  
Allison Paige Sullivan  
Ashley Trout Thompson

April 2, 2013

**VIA HAND DELIVERY**

The Honorable Daniel E. Shearouse  
Clerk of Court  
Supreme Court of South Carolina  
Post Office Box 11330  
Columbia, South Carolina 29211

RE: Ricky Burton v. Hardaway Concrete Co., Inc., and  
Liberty Mutual Fire Insurance  
Case Tracking No. 2011-199766

RECEIVED  
APR 2 2013  
S.C. Supreme Court

Dear Mr. Shearouse:

This case is currently scheduled to be heard in the May 2013 term of court, and has been set for argument on April 30 at 9:30 a.m. The parties have been in serious settlement negotiations, however, and are working diligently towards resolution of the matter. This would obviate the need for the Court to hear the case.

However, because of the nature of the matter the parties must seek approval for a portion of the proposed settlement from Centers for Medicare & Medicaid Services (CMS) for a Medicare Medical Savings Account (MSA). It will be impossible to achieve that approval prior to the oral argument.

Accordingly, the parties file a Joint Motion for Continuance of Oral Argument and request to Court consider postponing arguments in the case until the June term of court. If the parties can resolve the case we would then alert the court and proceed in compliance with Rule 261, SCACR.

Thank you for your attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

John S. Nichols  
BLUESTEIN, NICHOLS, THOMPSON  
& DELGADO, LLC