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Jun 10 2021

SC Court of Appeals

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June 10, 2021

VIA EMAIL

Honorable Jenny Abbott Kitchings
Clerk of Court
S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

**Re: Dorchester County Taxpayers Association v. Dorchester County
 Appellate Case No. 2018-001262**

Dear Madam Clerk:

I send this letter on behalf of the respondents regarding the oral argument (10-10-5) scheduled in the above-referenced matter for June 15, 2021, at 10:40 a.m. in Courtroom I. After consultation, the respondents have agreed tentatively to divide their 10 minutes of argument in the manner outlined below, subject of course to any requests or directions from the Court.

The complaint set forth five (5) causes of action. The appealed orders dismissed the First, Second, Fourth, and Fifth Causes of Action – the Third Cause of Action is not at issue in this appeal. In their Reply Brief, the appellants abandoned their appeal from the dismissal of the Second Cause of Action and the Fourth Cause of Action. (Reply Brief at p. 6). In addition, they partially abandoned their appeal from the dismissal of the Fifth Cause of Action, leaving only three individuals in their individual capacity only. (*Id.*; see generally Reply Brief at 3-6). As a result, the appeal is now limited to the First Cause of Action against all respondents and the Fifth Cause of Action as to the three individuals. The parties and their oral argument counsel are listed below:

Carmen Ganjehsani: Dorchester County; Dorchester County Council (David Chinnis, George Bailey, Jay Byars, Willie Davis, Carroll S. Duncan, Larry Hargett, and William R. Hearn, Jr.); Dorchester County Sheriff Luther C. Knight; and Captain Tony Phinney of the Dorchester County Sheriff's Office

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Robert Widener: Town of Summerville; Summerville Town Council; and William E. McIntosh, III

Kenneth Davis: Dorchester School District Four and Dorchester School District Four Board of Trustees

Mr. Widener will open the argument for all respondents and introduce counsel for the other respondents. At that time, he will inquire whether the Court desires argument on a particular issue and, if so, appropriate counsel will respond.

As to the First Cause of Action, Mr. Widener will present argument on the issues common to all respondents. Mr. Davis will present an argument applicable only to Dorchester School District Four respondents, based on the School District not having any taxing power or authority.

As to the Fifth Cause of Action, Mr. Widener will present argument on behalf of individual respondent William E. McIntosh, III. Ms. Ganjehsani will present argument on behalf of individual respondents David Chinnis and Tony Phinney.

Please advise if you need any additional information at this time and whether the Court has any instructions regarding oral argument and the division thereof amongst the respondents and issues.

Thank you for your kind assistance,



Respectfully yours,

Burr & Forman LLP

Robert L. Widener

RLW

cc: W. Andrew Gowder Jr., Esquire
Drew Hamilton Butler Esquire
Kenneth A. Davis Esquire
Adam Jordan Mandell Esquire
Anthony E. Rebollo Esquire
William H. Davidson Esquire

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Michael R. Rose, Esquire
Carmen V. Ganjehsani, Esquire
Kenneth P. Woodington, Esquire
Charles J. Boykin, Esquire
Tierney F. Dukes, Esquire