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May 10, 2013

VIA HAND DELIVERY

James R. Battle, Esq.
Battle & Vaught, P.A.
P.O. Box 530
Conway, SC 29528

RECEIVED

MAY 16 2013

VIA U.S. MAIL

Jimmy C. Powell, Jr., Esq.
Turner Padgett Graham & Laney
2411 North Oak Street, Suite 301
Myrtle Beach, SC 29577

S.C. Supreme Court

Re: Adam Corey Rabon, as Personal Representative for the Estate of Erik Randall Rabon
v. Huggins Beach Service, Inc., The City of Myrtle Beach and Craig J. Risbourg
Case Number: 2010-CP-26-6873
Court of Appeals Case Number: 2012208006

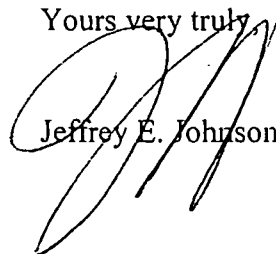
Dear Counselors:

Enclosed please find the proposed Agreement to Dismiss Pursuant to Rules 260(b) and 261(b) and 222 SCACR with regard to the above matter. If in agreement with same, please sign where indicated and return your original signature to my office for filing with the Court.

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

With kind personal regards, I remain

Yours very truly



Jeffrey E. Johnson

JEJ:dmp
Enclosure

cc: ✓ Daniel E. Shearhouse, Clerk of Court for The Supreme Court of South Carolina
Robert N. Richardson, Jr., Esq.

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

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MAY 16 2013

S.C. Supreme Court

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2010-CP-26-6873
(Court of Appeals Case No. 2012208006)

Adam Corey Rabon, as Personal Representative
For the Estate of Erik Randall RabonAppellant,

v.

Huggins Beach Service, Inc., The City of Myrtle Beach
and Craig J. Risbourg.....Respondents.

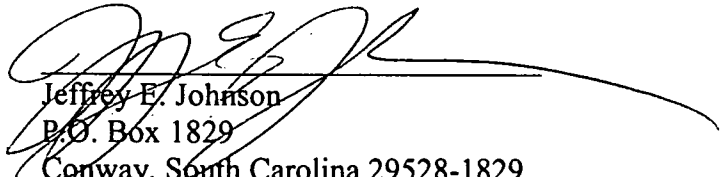
AGREEMENT TO DISMISS
PURSUANT TO RULES 260(b), 261(B) and 222 SCACR

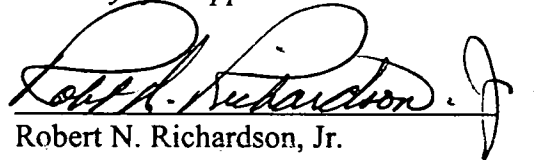
It is hereby stipulated and agreed by and between all parties that the APPEAL be DISMISSED pursuant to Rule 260(b), SCACR for the reason that the parties have resolved their differences and have entered in a written settlement agreement and, pursuant to Rule 261(b), SCACR, such Agreement for the Wrongful Death and Survivorship claims has been approved by the Court of Common Pleas for the Fifteenth Judicial Circuit on April 9, 2013 by the Honorable John C. Hayes, III in common pleas case number 2010-CP-26-06873. The parties further stipulate and agree to deviate from the requirements of Rule 222(a), SCACR and bear their own costs related to the Appeal.

We so stipulate and agree for this Honorable Court to dismiss this pending APPEAL.

May ____, 2013

WE SO STIPULATE:


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*Attorney for Huggins Beach
Service, Inc. and Craig J.
Risbourg*