

STATE OF SOUTH CAROLINA
In the Supreme Court

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MAY 29 2013

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

S.C. SUPREME COURT

The Honorable Doyet A. Early, III Circuit Court Judge

Appellate Case No. 2012-212917

IN RE: THE ESTATE OF JAMES BROWN A/K/A JAMES JOSEPH BROWN

Adele J. Pope Appellant,

v.

Alan Wilson, Attorney General of South Carolina,
Russell Bauknight as Trustee of the Legacy Trust
and in other fiduciary capacities, and Tommie
Ray Hynie Brown Respondents.

**AFFIDAVIT OF ADELE J. POPE IN SUPPORT OF REPLY TO
RETURN OF ATTORNEY GENERAL ALAN WILSON**

PERSONALLY APPEARED BEFORE ME, Adele J. Pope, who being duly
sworn deposes and says:

1. This affidavit is based on my own personal knowledge and belief.
2. While I am pleased that the Attorney General Alan Wilson ("AG Wilson") has agreed to be removed as a party to this appeal, I respectfully raise concerns about certain statements made in his May 23, 2013 Return which, I am

informed and believe, damage The James Brown "I Feel Good" Trust as well as me.

3. First, AG Wilson states that this appeal relates to the "confidentiality of Tommie Rae Hynie Brown's personal diaries." [Return. p1.]

4. I am informed and believe that the record is clear that the writings – given the name "diary" by Tommie Rae's counsel nearly two years after they were abandoned -- masks the fact that the writings were not diaries and were not "private" or "confidential," but widely known, copied, discussed, and disseminated for almost a year between their discovery and the request for the Gag Orders.

5. I have reviewed the video from 2007 as Tommie Rae went through James Brown's mansion to collect her personal belongings, and have reviewed her lists of what she claimed from his property, and am informed and believe that she never claimed or mentioned a "diary."

6. Even after the Gag Orders, almost everyone has ignored them and continued to discuss and disseminate the "diaries." As shown in the Appendix, Attorney General McMaster got a second copy from former PR/Trustee Albert Dallas in 2009, while both disregarded the direction to send them to the Clerk of Court. [Appendix dtd. 9/17/12 , P. 73.]

7. AG Wilson also stated that the Attorney General filed a "limited response to Mrs. Pope's appeal concerning the circuit court orders involving the diaries."

8. I am informed and believe that when AG Wilson joined and supported

the vitriolic Motion to Dismiss this appeal Tommie Rae filed September 13, 2012, that support far exceeded a limited response.

9. Among the many statements made by Tommie Rae which AG Wilson joined and supported were:

a. "...Pope clings to *her* frivolous allegation that there was an impediment to the marriage of James and Tommie Rae." [P.6.]

b. " James Brown's Estate was found to be worth \$6.5 million at the date of his death. See Exhibit O."

c. "...the federal government refunded \$10,000 in estate taxes that Pope erroneously concluded were due. [Emphasis supplied.] [pp.7-8]

d. "...past fiduciaries haphazardly claimed ...James Brown's Estate was worth varying amounts around \$100 Million...she never did anything to verify this amount. " [p. 9]

e. "Pope ... includes the IRS...with the outrageous assumption that it would not have investigated even though the IRS would have been due millions more in taxes if the marriage was invalid and Pope's unsubstantiated valuation stayed the same." [Emphasis supplied.][p.9]

f. "...[my] claim for approximately \$2.5 million might appear less outrageous if the estate were valued at the higher amount..."

g. "Since late 2008 the family and the Attorney General have been in agreement...that Pope's conduct must come to an end." [Emphasis supplied.]

h. "Pope's version of the facts is at odds with reality..." [P.15.]

10. In addition, the Motion to Dismiss attached the IRS filing by Mr. Bauknight which AG Wilson has used to accuse Robert Buchanan and me of the federal felony of overstating Brown's worldwide music empire by \$79 Million for the improper purpose of obtaining a large commission. [Mot. Dismiss, Exhibit O, P, Q.]

11. AG Wilson joined Tommie Rae in making these false accusations that we made a felonious filing with the IRS to obtain a large commissions with actual knowledge that we had presented to Jg. Early prior to being appointed PR/Trustees a proposal to value Brown's Royalties and Publicity Rights under a formula described briefly:

$$12 - 14 \quad X \text{ (Average Royalties PLUS } \frac{1}{2} \text{ Road Revenues) = Value of Royalties and Publicity Rights}$$

12. AG Wilson and Tommie Rae both knew that this formula was entirely consistent with our approximately \$85 Million value of Brown's assets -- \$100 Million LESS the \$15 +/- Million TIAA Debt.

12. AG and Tommie Rae both knew that in November 2007 Jg. Early asked Sr. Assistant AG Jones, as well as Tommie Rae's attorney, in open court on the record, to advise him within 10 days if they disapproved of the formula approach Bob and I (while still Special Administrators) had asked him to approve, and that neither made any objection to the formula.

13. In short, I respectfully submit that this level of support for Tommie Rae cannot be characterized as a "limited response" to my request to be ungagged and protect myself from the false claim that Bob Buchanan and I caused tens of millions of dollars damages to a music empire Tommie Rae now says was worth less than \$4.7 Million when James Brown died.

14. If it is not made clear that AG Willson no longer supports either this troublesome valuation or the statements he made in joining in Tommie Rae's September 2012 Motion to Dismiss, I am informed and believe that it will cause

James Brown's "I Feel Good" Trust damage for decades.

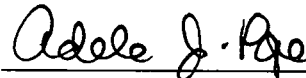
15. I am informed and believe that in light of the May 8, 2013 decision of this Court AG Wilson must be given a clean slate to assist in the enforcement of The "I Feel Good" Trust, and that Tommie Rae should not be able to use his then-support of her vitriolic Motion to Dismiss against the Estate Plan of James Brown, including The James Brown "I Feel Good" Trust.

16. This appeal involves the silencing of scores of people – including some who apparently still want to be silenced from their prior true statements – about widely publicized and widely distributed documents.

17. I am informed and believe that the record is clear that Tommie Rae's writings were not her "personal diaries," and that they were not "confidential."

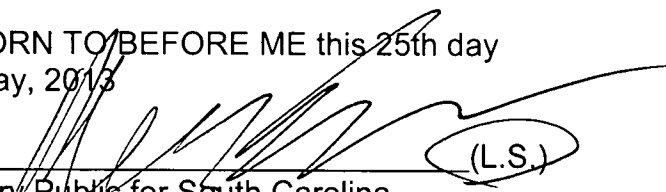
[See Appendix filed Sept. 12, 2012, Aff. and Exhibit 2, Initial Brief.]

FURTHER DEPONENT SAYETH NOT.



Adele J. Pope

SWORN TO BEFORE ME this 25th day
of May, 2013



Notary Public for South Carolina

My commission expires: 7/9/2015

(L.S.)

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Rae Hynie Brown.. Respondents.

PROOF OF SERVICE

I certify that on the 25th day of May, 2013 I have served the AFFIDAVIT OF ADELE J. POPE IN SUPPORT OF TO REPLY TO RETURN OF ALAN WILSON on Respondents by depositing a copy of same in the United States Mail, postage prepaid, addressed to their attorneys of record as follows:

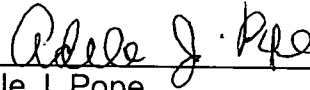
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Pro Se

May 25, 2013