

THE STATE OF SOUTH CAROLINA
In The Supreme Court of South Carolina

APPEAL FROM RICHLAND COUNTY
Probate Court

Amy W. McCulloch, Richland County Probate Judge

Case No. 2020-GC-40-00072

RECEIVED

SEP 23 2022

S.C. SUPREME COURT

Jane E. Baskin,.....Respondent

v.

William B. Walkup,.....Appellant

EXHIBIT A

NOTICE OF APPEAL

*Order Denying Respondent's Petition for Award of Attorney's Fee filed
September 16, 2022*

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

Jane E. Baskin,)

Petitioner,)

vs.)

William B. Walkup,)

Respondent.)

IN THE PROBATE COURT

Case Number: 2020-GC-40-00072

ORDER DENYING
RESPONDENT'S PETITION FOR AWARD OF
ATTORNEYS' FEES

FILED
2022 SEP 16 PM 1:31
AMY W. MCCULLOCH
PROBATE JUDGE
RICHLAND COUNTY, S.C.

THIS MATTER COMES BEFORE THE COURT upon the filing of a Petition For Award Of Attorneys' Fees by Respondent, William B. Walkup, through his attorneys Thornwell F. Sowell, III, and Bess J. Durant, on August 19, 2022, in the above-captioned matter. In the Petition, Respondent asks for his attorney's fees and costs to be paid by the Petitioner, Jane Baskin, personally, or from the assets of the Eldridge Baskin Trust.

Section 62-7-1004 of the South Carolina Code allows the probate court, at its discretion, to award attorneys fees in all matters involving trust administration. Specifically, it provides that "In a judicial proceeding involving the administration of a trust, the court, as *justice and equity may require*, may award costs and expenses, including reasonable attorney's fees, to any party, to be paid by another party or from the trust that is the subject of the controversy." S.C. Code Ann. § 62-7-1004.

Having issued a Final Order in this matter on August 23, 2022, wherein the probate court removed William Walkup as Trustee of the Eldrige Baskin Trust, the court denies the Respondent's Petition.

THEREFORE IT IS HEREBY ORDERED THAT Respondent's Petition For Award Of Attorneys Fees is **DENIED**. William Walkup, is responsible for paying his attorney's fees and costs incurred in this matter.

IT IS SO ORDERED.



Amy W. McCulloch, Probate Judge
Richland County Probate Court

September 16, 2022
Columbia, South Carolina

THE STATE OF SOUTH CAROLINA
In The Supreme Court of South Carolina

APPEAL FROM RICHLAND COUNTY
Probate Court

Amy W. McCulloch, Richland County Probate Judge

Case No. 2020-GC-40-00072

Jane E. Baskin,.....Respondent

v.

William B. Walkup,.....Appellant

EXHIBIT B

NOTICE OF APPEAL

*Email string between parties' counsel dated
September 21, 2022*

Amy Kelly

From: Rick Detwiler <rickdetwiler@callisontighe.com>
Sent: Wednesday, September 21, 2022 12:01 PM
To: Bess DuRant
Cc: Biff Sowell; Amy Kelly; Dee Hardwick
Subject: RE: Baskin/Walkup

Bess,

Yes, we consent. Thanks.

Rick

RICK DETWILER | CALLISON TIGHE
803.404.6964

From: Bess DuRant <bdurant@sowelldurant.com>
Sent: Wednesday, September 21, 2022 11:50 AM
To: Rick Detwiler <rickdetwiler@callisontighe.com>
Cc: Biff Sowell <bsowell@sowelldurant.com>; Amy Kelly <akelly@sowelldurant.com>; Dee Hardwick <deehardwick@callisontighe.com>
Subject: Baskin/Walkup

Rick,

We plan on appealing Judge McCulloch's order denying our attorney's fees and costs. Even though the Supreme Court has transferred the appeal to the Court of Appeals, my understanding of section 62-1-308(l) is that I still need to appeal the order denying fees to the Supreme Court and then I imagine it will send it to the Court of Appeals like it did the other orders on appeal. My plan is that I then will move the Court of Appeals to consolidate all orders on appeal into one appeal.

To that end, do I have your consent to appeal directly to the Supreme Court the order denying Walkup's motion for fees and costs pursuant to section 62-1-308(l)?

Best-
bjd

Bess J. DuRant
Member, SOWELL + DuRANT

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V-Card