

November 23, 2022

9/7/22

Via E-Filing and US Mail

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

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NOV 28 2022

SC Court of Appeals

Re: Michelle Cha Holliman, individually and as personal representative of the estate of Allen B. Holliman; Respondent v. We Are Sharing Hope SC, Medical University of South Carolina, United Network for Organ Sharing, Jacqueline Honig, M.D., and Darla Welker, Defendants, of which We Are Sharing Hope SC and United Network for Organ Sharing are the Appellants
C/A No. 2020-CP-10-02902, Charleston CP
Appellate Case No. 2021-000487
HLF File No. 269.009

Dear Ms. Kitchings:

The Plaintiff/Respondent filed a motion to dismiss this pending appeal as moot to which Appellant We Are Sharing Hope SC timely filed a return. Although the Plaintiff/Respondent did not file a reply, this Court directed the Plaintiff/Respondent to answer a specific question: “[T]he Court requests that you provide a memorandum on whether all of the 335 pages of documents Appellants claim to be peer-reviewed privileged have now been publicly released by the United States Senate Finance Committee or otherwise publicly reported.” The Plaintiff/Respondent submitted a memorandum on November 21, 2022, responding to the Court’s inquiry.

Although Rule 240, SCACR, does not provide for submission of a surreply, Sharing Hope moves for leave to submit the attached memorandum to offer clarification and emphasize the implications of the Plaintiff/Respondent’s current position that she is satisfied with documents she has accessed through the Senate’s publication of the documents produced by UNOS in the Congressional matter. Sharing Hope maintains that Plaintiff should withdraw her motion to compel if she does not wish to pursue discovery of the privileged documents that were not produced to and published by the Senate; otherwise, the privilege issues are not moot.

We are submitting a \$50.00 check for the motion filing fee by U.S. Mail this same day. If the Court requires a formal motion, please advise. Meanwhile, we are serving all Counsel of Record by email in accordance with Rule 262, SCACR, and the Supreme Court’s order of May 6, 2022.

HOOD LAW FIRM, LLC

The Honorable Jenny Abbott Kitchings
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November 23, 2022

Kind regards,

Yours truly,

/s/ Mary Agnes Hood Craig

Mary Agnes Hood Craig

MHC/mde

Enclosures

cc w/ enclosure [*Via E-Mail*]:

John C. Moylan, III, Esquire/Mary Lucille Dinkins, Esquire/James Hunter May, Esquire
Jack G. Gresh, Esquire/Lauren Spears Gresh, Esquire
Rachel Lewis Anna, Esquire
Hugh W. Buyck, Esquire/G. Wade Cooper, Esquire
Christine Kent Toporek, Esquire
Christina Woodward Strong, Esquire
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