

April 19, 2023

VIA E-MAIL ONLY

V. Claire Allen, Chief Deputy Clerk
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

RECEIVED
Apr 19 2023
SC Court of Appeals

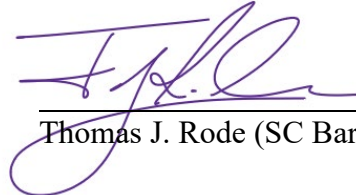
Re: *Nancy Morris v. State Fiscal Accountability Authority*
Appellate Case No. 2020-000719

Dear Ms. Allen:

In response to this Court's letter dated April 17, 2023, please find enclosed copies of the Assignment of Rights and Covenants Not to Execute that the appellant entered into with Andrew J. Bland, PFC; Richard T. Burkholder, SGT; Leemon E. Carner, PFC; Jerry Speissegger, Jr., PFC; and Priscilla Garrett, SGT (labeled Appellate Case No. 2020-000719, 04/19/2023, 1-19). If this Court requires anything further, please let me know.

Very truly yours,

THURMOND KIRCHNER & TIMBES, P.A.



Thomas J. Rode (SC Bar #77480)

TJR/src

cc: Counsel of Record (via e-mail only)

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

NANCY MORRIS, as personal representative of the estate of DAVID ALLAN WOODS,)	
	)	C.A. No.: 5:12-cv-3177-RMG
)	
Plaintiff,)	
)	
v.	)	ASSIGNMENT OF RIGHTS
	)	AND COVENANT NOT
	)	TO EXECUTE
Andrew J. Bland, PFC; Richard T. Burkholder, SGT; Leemon E. Carner, PFC; Jerry Speissegger, Jr., PFC; Priscilla Garrett, SGT;)	
)	
)	
Defendants.)	

For valuable consideration, the receipt of which is hereby acknowledged, and after receiving the advice of independent counsel, the undersigned hereby assigns to Nancy Morris any and all claims he/she may have against the South Carolina Insurance Reserve Fund and/or any other persons, firms, government organizations, or entities that arise out of the above-captioned case. These claims include, but are not limited to, claims arising out of the negligent, reckless and/or bad-faith conduct, and/or breach of contract by the Insurance Reserve Fund, its agents, servants, and/or employees, its law firm, insurance agency, insurance broker, or any other party in relation to: the handling of this matter; the judgment entered in this case; any other matters related to the claim which resulted in the judgment being entered against the undersigned; for any claims the undersigned may have against the Fund that arise out of any insurance coverage applicable to the instant case; and the right to collect all actual and punitive damages, attorney fees, or costs that may arise from those claims.

The undersigned agrees to be deposed and testify at trial in any cause of action that is brought against the State Fiscal Accountability Authority, the South Carolina Insurance Reserve

Fund or any other insurance company, adjuster, agency, broker, or organization in order to collect the excess judgment or to prosecute any of the claims hereby assigned to Nancy Morris.

The undersigned expressly waives any attorney/client privilege concerning his/her prior representation in civil action number 5:12-cv-03177-RMG to the extent necessary to assist in the pursuit of any litigation arising from this assignment.

The undersigned acknowledges that he/she has sought the advice of counsel regarding this assignment, is under no undue coercion or duress, is of sound mind and body, and believes the assignment to be in his/her best interests and supported by valuable consideration.

In consideration of this assignment, Plaintiff hereby covenants not to execute against any assets of the undersigned. Plaintiff furthermore agrees to dismiss the undersigned from civil action number 2017-CP-08-1439, currently pending in Berkeley County. Plaintiff covenants not to institute any further claims, lawsuits, bankruptcy proceedings, or other causes of action against the undersigned to enforce or collect on the above judgment.

This assignment is intended to bind the parties hereto and their heirs and assigns.

THIS ASSIGNMENT IS IRREVOCABLE.

Christopher P. Biering
David C. Stahl 1.

Attorney for Andrew J. Bland

Christopher P. Biering
Andrew Bland
Printed Name

Andrew J. Bland
Andrew J. Bland

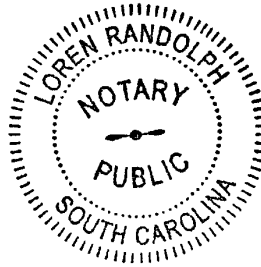
W. H. Green
Witness

SWORN to and Subscribed Before Me

This 30th day of August 2017.

Loren Randolph
Notary Public of South Carolina

My Commission Expires: 6-1-2026



I hereby accept this assignment and agree that all sums received shall be applied to the judgment against Andrew J. Bland.

Nancy Morris, as personal representative
of the Estate of David Allan Woods

THIS ASSIGNMENT IS IRREVOCABLE.

David C. Atch 1.

Attorney for Andrew J. Bland

Christopher P. Biering
Andrew Bland

Printed Name

Andrew J. Bland

Andrew J. Bland

W. H. Green

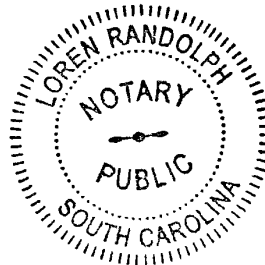
Witness

SWORN to and Subscribed Before Me

This 30th day of August 2017.

Loren Randolph
Notary Public of South Carolina

My Commission Expires: 6-1-2026



I hereby accept this assignment and agree that all sums received shall be applied to the judgment against Andrew J. Bland.

Nancy Morris

Nancy Morris, as personal representative
of the Estate of David Allan Woods

Fund or any other insurance company, adjuster, agency, broker, or organization in order to collect the excess judgment or to prosecute any of the claims hereby assigned to Nancy Morris.

The undersigned expressly waives any attorney/client privilege concerning his/her prior representation in civil action number 5:12-cv-03177-RMG to the extent necessary to assist in the pursuit of any litigation arising from this assignment.

The undersigned acknowledges that he/she has sought the advice of counsel regarding this assignment, is under no undue coercion or duress, is of sound mind and body, and believes the assignment to be in his/her best interests and supported by valuable consideration.

In consideration of this assignment, Plaintiff hereby covenants not to execute against any assets of the undersigned. Plaintiff furthermore agrees to dismiss the undersigned from civil action number 2017-CP-08-1439, currently pending in Berkeley County. Plaintiff covenants not to institute any further claims, lawsuits, bankruptcy proceedings, or other causes of action against the undersigned to enforce or collect on the above judgment.

This assignment is intended to bind the parties hereto and their heirs and assigns.

THIS ASSIGNMENT IS IRREVOCABLE.

Attorney for Richard T. Burkholder



Richard T. Burkholder

Printed Name

Witness


SWORN to and Subscribed Before Me

This ____ day of _____, 2017.

Notary Public of South Carolina

My Commission Expires: _____

I hereby accept this assignment and agree that all sums received shall be applied to the judgment against Richard T. Burkholder.



Nancy Morris/as personal representative
of the Estate of David Allan Woods

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

NANCY MORRIS, as personal representative of the estate of DAVID ALLAN WOODS,)	
	)	C.A. No.: 5:12-cv-3177-RMG
Plaintiff,)	
	)	ASSIGNMENT OF RIGHTS
v.	)	AND COVENANT NOT
	)	TO EXECUTE
Andrew J. Bland, PFC; Richard T. Burkholder, SGT; Leemon E. Carner, PFC; Jerry Speissegger, Jr., PFC; Priscilla Garrett, SGT;)	
)	
Defendants.)	

For valuable consideration, the receipt of which is hereby acknowledged, and after receiving the advice of independent counsel, the undersigned hereby assigns to Nancy Morris any and all claims he/she may have against the South Carolina Insurance Reserve Fund and/or any other persons, firms, government organizations, or entities that arise out of the above-captioned case. These claims include, but are not limited to, claims arising out of the negligent, reckless and/or bad-faith conduct, and/or breach of contract by the Insurance Reserve Fund, its agents, servants, and/or employees, its law firm, insurance agency, insurance broker, or any other party in relation to: the handling of this matter; the judgment entered in this case; any other matters related to the claim which resulted in the judgment being entered against the undersigned; for any claims the undersigned may have against the Fund that arise out of any insurance coverage applicable to the instant case; and the right to collect all actual and punitive damages, attorney fees, or costs that may arise from those claims.

The undersigned agrees to be deposed and testify at trial in any cause of action that is brought against the State Fiscal Accountability Authority, the South Carolina Insurance Reserve

Fund or any other insurance company, adjuster, agency, broker, or organization in order to collect the excess judgment or to prosecute any of the claims hereby assigned to Nancy Morris.

The undersigned expressly waives any attorney/client privilege concerning his/her prior representation in civil action number 5:12-cv-03177-RMG to the extent necessary to assist in the pursuit of any litigation arising from this assignment.

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In consideration of this assignment, Plaintiff hereby covenants not to execute against any assets of the undersigned. Plaintiff furthermore agrees to dismiss the undersigned from civil action number 2017-CP-08-1439, currently pending in Berkeley County. Plaintiff covenants not to institute any further claims, lawsuits, bankruptcy proceedings, or other causes of action against the undersigned to enforce or collect on the above judgment.

This assignment is intended to bind the parties hereto and their heirs and assigns.

THIS ASSIGNMENT IS IRREVOCABLE.

[Signature]
Attorney for Leemon E. Carner

Christopher P. Biernig
Printed Name

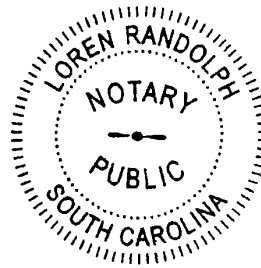
[Signature]
Leemon E. Carner

[Signature]
Witness

SWORN to and Subscribed Before Me
This 30th day of August, 2017.

Loren Randolph
Notary Public of South Carolina


My Commission Expires: 6-1-2026



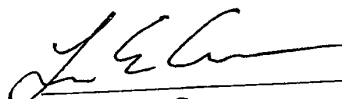
I hereby accept this assignment and agree that all sums received shall be applied to the judgment against Leemon E. Carner.

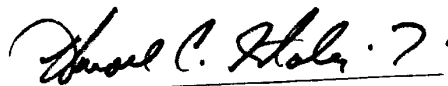
Nancy Morris, as personal representative
of the Estate of David Allan Woods

THIS ASSIGNMENT IS IRREVOCABLE.


Attorney for Leemon E. Carner

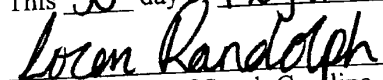
Christopher P. Biening
Printed Name


Leemon E. Carner

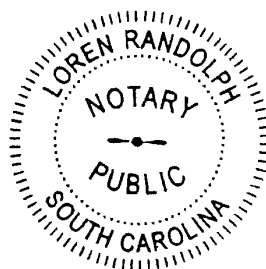

Witness

SWORN to and Subscribed Before Me

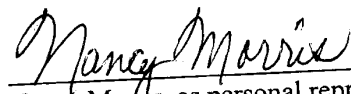
This 30th day of August, 2017.


Notary Public of South Carolina

My Commission Expires: 6-1-2026



I hereby accept this assignment and agree that all sums received shall be applied to the judgment against Leemon E. Carner.


Nancy Morris, as personal representative
of the Estate of David Allan Woods

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

NANCY MORRIS, as personal representative of the estate of DAVID ALLAN WOODS,)	
	)	C.A. No.: 5:12-cv-3177-RMG
)	
Plaintiff,)	
)	
v.	)	ASSIGNMENT OF RIGHTS AND COVENANT NOT TO EXECUTE
)	
Andrew J. Bland, PFC; Richard T. Burkholder, SGT; Leemon E. Carner, PFC; Jerry Speissegger, Jr., PFC; Priscilla Garrett, SGT;)	
)	
_____)	
Defendants.)	

For valuable consideration, the receipt of which is hereby acknowledged, and after receiving the advice of independent counsel, the undersigned hereby assigns to Nancy Morris any and all claims he/she may have against the South Carolina Insurance Reserve Fund and/or any other persons, firms, government organizations, or entities that arise out of the above-captioned case. These claims include, but are not limited to, claims arising out of the negligent, reckless and/or bad-faith conduct, and/or breach of contract by the Insurance Reserve Fund, its agents, servants, and/or employees, its law firm, insurance agency, insurance broker, or any other party in relation to: the handling of this matter; the judgment entered in this case; any other matters related to the claim which resulted in the judgment being entered against the undersigned; for any claims the undersigned may have against the Fund that arise out of any insurance coverage applicable to the instant case; and the right to collect all actual and punitive damages, attorney fees, or costs that may arise from those claims.

The undersigned agrees to be deposed and testify at trial in any cause of action that is brought against the State Fiscal Accountability Authority, the South Carolina Insurance Reserve

Fund or any other insurance company, adjuster, agency, broker, or organization in order to collect the excess judgment or to prosecute any of the claims hereby assigned to Nancy Morris.

The undersigned expressly waives any attorney/client privilege concerning his/her prior representation in civil action number 5:12-cv-03177-RMG to the extent necessary to assist in the pursuit of any litigation arising from this assignment.

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In consideration of this assignment, Plaintiff hereby covenants not to execute against any assets of the undersigned. Plaintiff furthermore agrees to dismiss the undersigned from civil action number 2017-CP-08-1439, currently pending in Berkeley County. Plaintiff covenants not to institute any further claims, lawsuits, bankruptcy proceedings, or other causes of action against the undersigned to enforce or collect on the above judgment.

This assignment is intended to bind the parties hereto and their heirs and assigns.

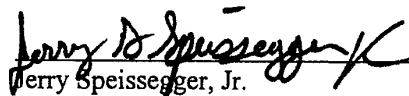
THIS ASSIGNMENT IS IRREVOCABLE.



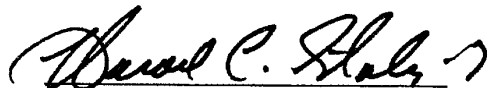
Attorney for Jerry Speissegger, Jr.

Christopher P. Biering

Printed Name



Jerry Speissegger, Jr.



Witness

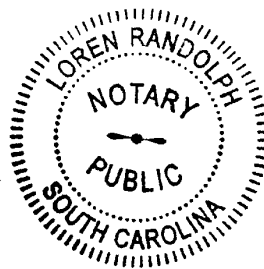
SWORN to and Subscribed Before Me

This 30th day of August, 2017.



Notary Public of South Carolina


My Commission Expires: 6-1-2026



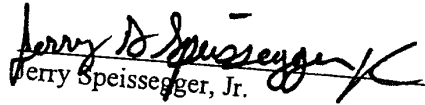
I hereby accept this assignment and agree that all sums received shall be applied to the judgment against Jerry Speissegger, Jr.

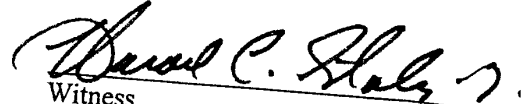
Nancy Morris, as personal representative
of the Estate of David Allan Woods

THIS ASSIGNMENT IS IRREVOCABLE.


Attorney for Jerry Speissegger, Jr.

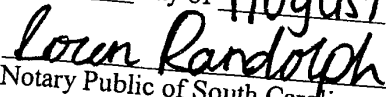
Christopher P. Biering
Printed Name


Jerry Speissegger, Jr.

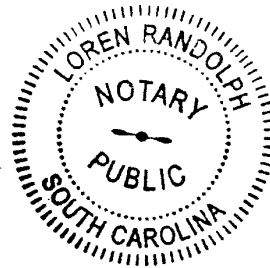

Witness

SWORN to and Subscribed Before Me

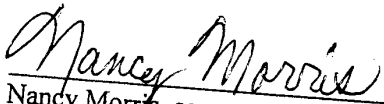
This 30th day of August, 2017.


Notary Public of South Carolina

My Commission Expires: 6-1-2026



I hereby accept this assignment and agree that all sums received shall be applied to the judgment against Jerry Speissegger, Jr.


Nancy Morris, as personal representative
of the Estate of David Allan Woods

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

NANCY MORRIS, as personal representative of the estate of DAVID ALLAN WOODS,)	
	)	C.A. No.: 5:12-cv-3177-RMG
Plaintiff,)	
)	
v.	)	ASSIGNMENT OF RIGHTS AND COVENANT NOT TO EXECUTE
)	
Andrew J. Bland, PFC; Richard T. Burkholder, SGT; Leemon E. Carner, PFC; Jerry Speissegger, Jr., PFC; Priscilla Garrett, SGT;)	
)	
Defendants.)	

For valuable consideration, the receipt of which is hereby acknowledged, and after receiving the advice of independent counsel, the undersigned hereby assigns to Nancy Morris any and all claims he/she may have against the South Carolina Insurance Reserve Fund and/or any other persons, firms, government organizations, or entities that arise out of the above-captioned case. These claims include, but are not limited to, claims arising out of the negligent, reckless and/or bad-faith conduct, and/or breach of contract by the Insurance Reserve Fund, its agents, servants, and/or employees, its law firm, insurance agency, insurance broker, or any other party in relation to: the handling of this matter; the judgment entered in this case; any other matters related to the claim which resulted in the judgment being entered against the undersigned; for any claims the undersigned may have against the Fund that arise out of any insurance coverage applicable to the instant case; and the right to collect all actual and punitive damages, attorney fees, or costs that may arise from those claims.

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In consideration of this assignment, Plaintiff hereby covenants not to execute against any assets of the undersigned. Plaintiff furthermore agrees to dismiss the undersigned from civil action number 2017-CP-08-1439, currently pending in Berkeley County. Plaintiff covenants not to institute any further claims, lawsuits, bankruptcy proceedings, or other causes of action against the undersigned to enforce or collect on the above judgment.

This assignment is intended to bind the parties hereto and their heirs and assigns.

THIS ASSIGNMENT IS IRREVOCABLE.

[Handwritten Signature]

Attorney for Priscilla Garrett Bland

[Handwritten Signature]

Priscilla ~~Garrett~~ Bland
Ann

[Handwritten Signature]

Printed Name

[Handwritten Signature]

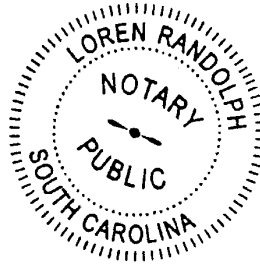
Witness

SWORN to and Subscribed Before Me

This 30th day of August, 2017.

[Handwritten Signature]
Notary Public of South Carolina

My Commission Expires: 6-1-2026



I hereby accept this assignment and agree that all sums received shall be applied to the judgment against Priscilla Garrett Bland.

Nancy Morris, as personal representative
of the Estate of David Allan Woods

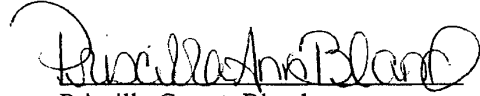
THIS ASSIGNMENT IS IRREVOCABLE.



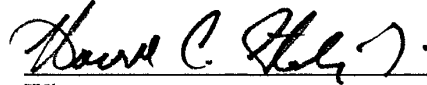
Attorney for Priscilla Garrett Bland

Christopher P. Bicing

Printed Name



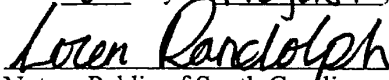
Priscilla ~~Garrett~~ Bland
Ann



Witness

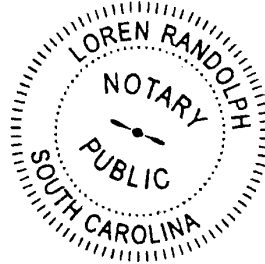
SWORN to and Subscribed Before Me

This 30th day of August, 2017.



Notary Public of South Carolina

My Commission Expires: 6-1-2026



I hereby accept this assignment and agree that all sums received shall be applied to the judgment against Priscilla Garrett Bland.



Nancy Morris, as personal representative
of the Estate of David Allan Woods