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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

Appeal from Hampton County
Court of Common Pleas

The Honorable Daniel DeWitt Hall, Circuit Court Judge

Case No. 2019-CP-25-00111
Appellate Case No. 2023-001013

Renee S. Beach, as Personal Representative of the Estate of Mallory Beach, Respondent,

v.

Gregory M. Parker, Inc. d/b/a Parker’s Corporation, Richard Alexander Murdaugh, Richard Alexander Murdaugh, Jr., John Marvin Murdaugh, as P.R. of the Estate of Margaret Kennedy Branstetter Murdaugh, and Randolph Murdaugh, IV, as P.R. of the Estate of Paul Terry Murdaugh,..... Defendants,

OF WHOM Richard Alexander Murdaugh is Appellant.

**MURDAUGH CO-RECEIVERS JOHN T. LAY AND PETER M. MCCOY’S
STATEMENT ADDRESSING THE ISSUE OF APPEALABILITY
OR, IN THE ALTERNATIVE, MOTION FOR PERMISSION
TO FILE AN *AMICUS CURIAE* BRIEF**

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OTHER AUTHORITY

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John T. Lay and Peter M. McCoy, as Co-Receivers for the assets of Appellant Richard Alexander Murdaugh appointed by the Honorable Daniel DeWitt Hall, Court of Common Pleas in this litigation on November 2, 2021, respectfully submit this statement addressing the issue of appealability as requested by this Court in its correspondence to the parties on July 3, 2023. The Co-Receivers assert that the Court’s preliminary assessment that the orders challenged by the Appellant in the Notice of Appeal dated June 22, 2023, may not be appealable (the “Appealability Request”) is correct and that this appeal should be dismissed as not ripe for review. In the alternative, to the extent this Court determines the Co-Receivers must instead seek this Court’s permission to file an *amicus curiae* brief to address the issue of appealability of the challenged orders pursuant to South Carolina Appellate Court Rules Rule 213, the Co-Receivers hereby so move the Court for such permission.

BACKGROUND AND PROCEDURAL HISTORY

Renee S. Beach, as Personal Representative of the Estate of Mallory Beach (“Respondent”) has brought claims against Richard Alexander Murdaugh (“Appellant” or “Alex Murdaugh”) for wrongful death and negligent entrustment arising out of a boat crash on February 23, 2019 that killed Mallory Beach and that was allegedly caused by Appellant’s son, Paul Terry Murdaugh (“Paul Murdaugh”). Paul Murdaugh and Appellant’s wife, Margaret Branstetter Murdaugh (“Maggie Murdaugh”) were murdered on June 7, 2021. Following revelations of repeated acts of fraud and deceit by Appellant that were publicized in September and October 2021, including but not limited to admissions by Appellant of financial fraud and other misconduct, Respondent filed a Motion for Temporary Injunction and Appointment of the Co-Receivers and Co-Receivers’ Counsel on October 22, 2021. The Honorable Daniel DeWitt

Hall of the Court of Common Pleas granted Respondent’s Motion on November 2, 2021 (the “Receivership Order”)¹. See Exhibit 1 – Receivership Order.

On July 14, 2022, Appellant was charged by the State of South Carolina with the murder of Paul Murdaugh and Maggie Murdaugh. Appellant’s counsel in this litigation – James M. Griffin and Richard A. Harpootlian – also served as his criminal defense lawyers against the murder charges. The Court of General Sessions set Appellant’s murder trial to begin on January 23, 2023. On October 13, 2022, Appellant, by and through his counsel Mr. Griffin and Mr. Harpootlian, filed a Motion for Relief from the Temporary Injunction to pay their attorneys’ fees and costs from his 401(k)-retirement account to defend Appellant against murder and related charges for the murder of Paul Murdaugh and Maggie Murdaugh (the “Motion for 401(k) Funds”). Thereafter, Appellant, by and through Mr. Griffin and Mr. Harpootlian, and the Co-Receiver negotiated a resolution to Appellant’s Motion for 401(k) Funds whereby as of October 21, 2023, Appellant voluntarily, knowingly, and in consultation with his counsel agreed to (1) liquidate his 401(k) accounts in full and pay the associated tax liabilities and penalties, (2) retain \$600,000 from the net proceeds to pay attorney’s fees and costs to defend against the murder charges, *including any appeal thereof*, and (3) provide the Co-Receiver with the remaining balance of the 401(k) funds for deposit to the receivership estate for administration consistent with the receivership implanted by the Receivership Order. See Exhibit 2 – Consent Response to Motion for Relief from Injunction. On November 3, 2022, Judge Hall entered the Order approving the agreement between Appellant and the Co-Receiver regarding the allocation of Appellant’s 401(k) funds to Appellant and to the receivership estate. See Exhibit 3 – Consent

¹ Judge Hall granted the receivership through a Form 4 Order on November 2, 2021 and entered a full order as to the scope of the Co-Receiver’s authority on November 4, 2021. Both orders are attached hereto as Exhibit 1 and are collectively referred to herein as “the Receivership Order”.

Order Approving Agreement Between Murdaugh and Co-Receivers as to Murdaugh's 401(k) Funds. Pursuant to Appellant's and the Co-Receiver's agreement and Judge Hall's November 3, 2022 Order, \$424,941.24 from Appellant's liquidated 401(k) accounts was deposited with the Co-Receivers for credit to the receivership estate on or about December 22, 2023.

Appellant's murder trial began on January 23, 2023. On March 3, 2023, Appellant was convicted by a jury of murdering Paul Murdaugh and Maggie Murdaugh. On March 9, 2023, Appellant, by and through Mr. Griffin and Mr. Harpootlian, filed an appeal of the murder convictions. On March 21, 2023, Appellant filed his Motion for Payment of Attorney's Fees from Untainted Funds in this civil litigation whereby Appellant sought to claw back \$160,000 in 401(k) funds he previously agreed to deposit into the receivership estate to prospectively fund attorneys' fees and costs associated with Appellant's *appeal* of his murder convictions (referred to herein as the "Motion to Claw Back 401(k) Funds from the Receivership"). On March 22, 2023, Appellant validly executed a waiver of any and all rights to object to or appeal the Receivership Order, including the injunction awarded thereby, as a contingency to the settlement of other claims against Appellant. See Exhibit 4 – Murdaugh Waiver of Appeal Rights. Appellant's Motion to Claw Back 401(k) Funds from the Receivership was fully briefed by Appellant and by the Co-Receivers in response, and Judge Hall heard oral arguments from Appellant, the Co-Receivers, Respondent, and others at a hearing held on May 3, 2023. On May 12, 2023, Judge Hall issued a Form 4 Order denying Appellant's Motion to Claw Back 401(k) Funds from Receivership. On May 19, 2023, Appellant filed his Motion to Reconsider Judge Hall's Form 4 Order denying Appellant's request for additional 401(k) funds already held by the receivership estate as previously agreed to by Appellant. On June 9, 2023, Judge Hall issued a Form 4 Order denying Appellant's Motion to Reconsider the Order Denying Appellant's Motion to Claw Back 401(k) Funds from Receivership.

On June 22, 2023, Appellant filed his Notice of Appeal of Judge Hall’s Form 4 Order entered on May 12, 2023 denying the Motion to Claw Back 401(k) Funds from Receivership as well as the subsequent Form 4 Order denying the associated Motion to Reconsider (together, the “Challenged Orders”). On July 3, 2023, this Court requested that the parties submit briefing addressing the appealability of the Challenged Orders within ten (10) days. This filing by the Co-Receivers is timely made.

Notably, a trial on the merits of Respondent’s claims against Appellant and the other Defendants has not yet taken place.

THE CO-RECEIVERS’ INTEREST IN THIS MATTER²

The Co-Receivers were appointed to locate, marshal, and secure as many of Appellant’s assets as reasonably practicable for the benefit of the receivership estate and the further benefit of Appellant’s creditors and claimants and, to the extent any assets thereafter remain, for the residual benefit of Appellant himself. The Receivership Order granted the Co-Receivers broad authority for this purpose and authorized them to do all things necessary and incidental to marshaling and securing assets in the receivership. To date, the Co-Receivers have marshaled gross assets of approximately \$2 million to the receivership estate. This amount is substantially less than the total of the judgments and claims known as of the date hereof³, and it is possible judgments and claims will increase.

² The Co-Receivers address their interest in the issue of appealability of the Challenged Orders as required by Rule 213, SCACR, to the extent the Court is unable to consider this filing as a statement by the Co-Receivers and instead treats it as a Motion for Permission to File an *Amicus Curiae* Brief.

³ Known claims include, but are not limited to, a \$4.3 million confession of judgment voluntarily executed by Alex Murdaugh himself in favor of Michael Satterfield and Brian Harriott in *Michael “Tony” Satterfield, et al. v. Richard Alexander “Alex” Murdaugh, Sr., et al.*, (C/A No. 2021-CP-25-00298) formerly pending in the County of Hampton.

Incumbent to the receivership's purpose and the Co-Receivers' responsibility is to attempt to protect against preferential treatment of one creditor over other creditors and claimants prior to the receivership court's eventual equitable allocation of the receivership estate's funds at such time as all potential creditors and claimants have had a fair opportunity to obtain a judgment and/or otherwise prove up their claims.

Therefore, the Co-Receivers have a legitimate interest in Appellant's attempt to appeal the Challenged Orders because Appellant (1) seeks to undermine the agreement the Co-Receivers and Appellant, in consultation with his counsel, voluntarily and knowingly made as of October 21, 2023 regarding the allocation of 401(k) funds to the receivership estate and to Appellant for the full defense against the murder charges, *including any appeal thereof*, (2) seeks to reduce the amount of funds already in the receivership estate available for the eventual benefit of all creditors and claimants, and (3) seeks preferential treatment of Appellant's attorneys over other present and future creditors and claimants of Appellant who will be required to compete for an equitable allocation of the limited funds in the receivership estate.

THE CHALLENGED ORDERS ARE NOT APPEALABLE AT THIS TIME

The Co-Receivers submit that the Challenged Orders are interlocutory orders and Appellant lacks any statutory or other legal basis to appeal these Orders at this time. "Generally only final judgments are appealable." *Tillman v. Tillman*, 420 S.C. 246, 248-49, 801 S.E.2d 757, 759 (Ct. App. 2017); *see also Link v. School Dist. of Pickens Cty.*, 302 S.C. 1, 5 n. 3, 393 S.E.2d 176, 178 n. 3 (1990) (" '[F]inal judgment' is a term of art denoting the disposition of *all* the issues in the case."). An order like the Order denying Appellant's Motion to Claw Back 401(k) Funds does not dispose of all the issues in the case in this case and clearly ". . . leav[es] open the possibility of further action by the trial court before the rights of the parties are resolved, is interlocutory." *Tillman*, 420 S.C. at 248-49, 801 S.E.2d at 759 (*citing Ex parte Wilson*, 367 S.C.

7, 12, 625 S.E.2d 205, 208 (2005)). The *only* interlocutory orders that may be appealed are those expressly included in a special statute or those defined in the narrow exceptions of S.C. Code Ann. § 14-3-330, which are:

- (1) Any intermediate judgment, order or decree in a law case involving the merits in actions commenced in the court of common pleas and general sessions, brought there by original process or removed there from any inferior court or jurisdiction, and final judgments in such actions; provided, that if no appeal be taken until final judgment is entered the court may upon appeal from such final judgment review any intermediate order or decree necessarily affecting the judgment not before appealed from;
- (2) An order affecting a substantial right made in an action when such order (a) in effect determines the action and prevents a judgment from which an appeal might be taken or discontinues the action, (b) grants or refuses a new trial or (c) strikes out an answer or any part thereof or any pleading in any action;
- (3) A final order affecting a substantial right made in any special proceeding or upon a summary application in any action after judgment; and
- (4) An interlocutory order or decree in a court of common pleas granting, continuing, modifying, or refusing an injunction or granting, continuing, modifying, or refusing the appointment of a receiver.

S.C. Code Ann. § 14-3-330 (1976 & Supp. 2014); *Hagood v. Sommerville*, 362 S.C. 191, 194, 607 S.E.2d 707, 708 (2005) (“An order generally must fall into one of several categories set forth in that statute in order to be immediately appealable.”). Section 14-3-330 is construed narrowly to avoid circuitous litigation and piecemeal appeals. *Tillman*, 420 S.C. at 250-51, 801 S.E.2d at 760 *Hagood*, 362 S.C. at 196, 607 S.E.2d at 709. The South Carolina Supreme Court has expressly recognized that South Carolina courts do not apply the federal collateral order doctrine to expand the scope of orders subject to interlocutory appeals beyond the bases provided in S.C. Code § 14-3-330 or other special statute. *See State v. Rearick*, 417 S.C. 391, 404 n. 13, 790 S.E.2d 192, 199 n. 13 (2016) (South Carolina Supreme Court rejected notion that federal case expanded scope of South Carolina statute providing for interlocutory appeals because such

federal case is based on the federal collateral order doctrine, which “is not applied in our state courts.”); *see also Capital U-Drive-It, Inc. v. Beaver*, 369 S.C. 1, 8 n. 2, 630 S.E.2d 464, 468 n.2 (2006) (“Although the federal collateral order doctrine is not applied in our state courts, we believe the reasoning of these cases is sound.”).

For an order to qualify as having impacted a substantial right under § 14-3-330(2)(a), it must be “[a]n order involving the merits . . . [that] finally determine[s] some substantial matter forming the whole or a part of some cause of action or defense in the case in which the order is entitled.” *Duncan v. Gov't Emps. Ins. Co.*, 331 S.C. 484, 485, 449 S.E.2d 580, 580 (1994) (quoting *Knowles v. Standard Sav. & Loan Ass'n*, 274 S.C. 58, 59, 261 S.E.2d 49, 49 (1979)). Section 14-3-330(2)(a) does not permit the immediate appeal of just any pretrial order affecting a substantial right. Rather, the statutory language makes clear that an order affecting a substantial right is immediately appealable only “when such order would discontinue an action, prevent an appeal, . . . or strike out an action or defense.” *Mid-State Distribs. v. Century Imps.*, 310 S.C. 330, 334 n.4, 426 S.E.2d 777, 780 (1993).

The Co-Receivers submit that none of the narrow exceptions provided by S.C. Code Ann. § 14-3-330 which permit an appeal of an interlocutory order apply to the Challenged Orders. The Challenged Orders deny Appellant the ability to undo his valid agreement as to the fixed amount of 401(k) funds he retained for attorneys’ fees to pay for his criminal defense against the murder charges, *including any appeal thereof*, and the fixed amount he agreed to place in the receivership estate. *See Ex. 2*. As such, the Challenged Orders clearly do not involve the merits in this wrongful death case and do not resolve all issues in this case. Nor do the Challenged Orders in any way render Appellant’s appeal of his murder convictions effectively final, as (A) Appellant’s attorneys handling such criminal appeal can make a claim for their fees and costs from the receivership at such time as the receivership court entertains the claims of *all* of

Appellant's creditors and claimants, (B) the services of attorneys with the South Carolina Commission on Indigent Defense (SCCID), Division of Appellate Attorneys are available to Appellant for such criminal appeal to the extent his attorneys are unwilling to be treated *pari passu* with Appellant's other creditors, or (C) Appellant, a former lawyer prior to being disbarred on July 12, 2022 and former assistant solicitor for the Fourteenth Judicial Circuit, can handle his own appeal and proceed *in forma pauperis*. Further, no claims or defenses have been struck or pretermitted by the Challenged Orders. For these reasons, the exceptions provided by S.C. Code Ann. § 14-3-330(1) – (2) do not apply to the Challenged Orders.

Nor can Appellant rely on S.C. Code Ann. § 14-3-330(3) as a basis to appeal the Challenged Orders. Appellant attempts to re-characterize the Challenged Orders as ones that affect a substantial right and, as such, he attempts to rely on § 14-3-330(3). In fact, the Challenged Orders are simply a denial of Appellant's request through his Motion to Pay Attorneys' Fees with Untainted Funds filed on March 21, 2023 to temporarily lift and to modify the injunction implemented through the Receivership Order⁴ to permit Appellant to direct \$160,000 in 401(k) funds for payment of his attorneys' fees.⁵ Thus, *assuming arguendo* Appellant has a substantial right that has been affected, the Order which *altered or affected* such right is the Receivership Order which originally implemented the injunction. However,

⁴ The Receivership Order not only appointed the Co-Receivers but also imposed the underlying injunction applicable to the disposition of Alex Murdaugh's assets by him or his agents. *See Ex. 1.*

⁵ The fact that this additional \$160,000 was originally deposited into the receivership estate and in the custody of the Co-Receivers and, thus, Appellant sought a transfer of such funds from the Co-Receivers to his attorneys (instead of initially and directly from the 401(k) accounts as had taken place in October 2022) does not alter the type of relief that Appellant was actually seeking through his Motion to Claw Back 401(k) Funds from the Receivership: a lifting of the injunction *for Appellant to direct* the transfer and payment of 401(k) funds or any other purportedly untainted funds to Appellant's attorneys.

Appellant has validly waived “any and all objection and appeal rights with regard” to the injunction implemented by the Receivership Order (*See Ex. 4*). It would be counter to the spirit and purpose of S.C. Code Ann. Ann. § 14-3-330 to now permit the interlocutory appeal of an Order upholding a previously implemented injunction by the person subject to the injunction when this person has previously waived any and all objection and appeal rights with regard to that very injunction, including its scope thereof.

Further, S.C. Code Ann. § 14-3-330(4) cannot support the interlocutory appeal Appellant seeks. The Challenged Orders do not grant, continue⁶, modify or refuse an injunction. The Receivership Order prohibits Alex Murdaugh from “hiding, concealing, misappropriating, selling, encumbering, impairing the value of and otherwise disposing of any” of Alex Murdaugh’s assets. *See Ex. 1*. Alex Murdaugh voluntarily relinquished control of the funds in question to the Co-Receivers by and through the Consent Order entered by this Court on November 3, 2022, which lifted the injunction for this specific and limited purpose. *See Ex. 3*. That Consent Order is not in dispute. The Challenged Orders seek to undo the effect of the bargain that Alex Murdaugh and his lawyers voluntarily and knowingly made as to liquidation of the 401(k) funds and allocation thereof between them and the receivership estate as memorialized in the Consent Order Alex Murdaugh himself consented to. *See Ex. 2* and *Ex. 3*. Additionally, as noted above, the Co-Receivers note to the Court that Appellant validly executed

⁶ Appellant’s assertion that the lower court’s denial of his motion requesting relief from the injunction in place for the limited purpose of Appellant being permitted to direct \$160,000 liquidated from his 401(k) accounts in the custody of the Co-Receivers is an order “to continue” the injunction does not carry the day. The injunction was in place and Appellant cannot create a “continuance” by filing a motion for relief from the injunction. Such a position would render Appellant’s waiver of “any and all rights in regard to” the injunction and receivership implemented through the Receivership Order (*See Ex. 4 – Waiver of Appeal Rights*) effectively meaningless if he can nevertheless, after such providing such waiver, seek relief from such injunction, and following the denial of the same be able to appeal the denial by characterizing this as an order to continue.

a waiver of “any and all objection and appeal rights with regard” to the injunction implemented by the Receivership Order on March 22, 2023. *See Ex. 4.* Therefore, S.C. Code Ann. § 14-3-330(4) also cannot possibly provide any jurisdictional basis for Appellant to appeal the Challenged Orders at this time.

CONCLUSION

For these reasons, the Co-Receivers respectfully submit that the orders challenged on appeal are not appealable at this time. In the alternative, the Co-Receivers have a legitimate interest in the limited issue that the Court has raised *sua sponte* and respectfully request permission to file an *amicus curiae* brief to address the issue of the appealability of the Challenged Orders.

To the extent the Court determines that the Challenged Orders are appealable at this time, the Co-Receivers reserve the opportunity to address the propriety of Judge Hall’s rulings through additional briefing or other submissions to this Court.

Respectfully submitted,

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July 13, 2023
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EXHIBIT 1

easements, chattel, livestock, mineral rights, all useful things, liabilities capable of being re-characterized as assets, intellectual property, all rights to name, image or likeness, all publication rights to the events related in any way to Alex Murdaugh and contract rights and all other things, rights and interests without limitation that may be monetized for value, whether known or unknown, whether it is presently owned, held or controlled or was previously owned, held or controlled or will be owned, held or controlled in the future, whether actual or contingent, whether owned, held or controlled directly or indirectly and/or whether owned, held or controlled in whole or in part by Defendant Richard Alexander Murdaugh (“Alex Murdaugh”). For the avoidance of doubt, the term “Alex Murdaugh Assets” includes any and all assets transferred, concealed, hidden, sold, encumbered, or otherwise disposed of which previously were owned, held or controlled by Alex Murdaugh, directly or indirectly and in whole or in part.

The term “Buster Murdaugh Assets” as used in this Order shall mean any or all of the Alex Murdaugh Assets (as defined herein), as well as all intellectual property, all rights to name, image or likeness and all other publication and contract rights to the events related in any way to Alex Murdaugh and/or Buster Murdaugh, whether known or unknown, whether it is presently owned, held or controlled or was previously owned, held or controlled or will be owned, held or controlled in the future, whether actual or contingent, whether owned, held or controlled directly or indirectly and/or whether owned, held or controlled in whole or in part by Defendant Richard Alexander Murdaugh, Jr. (“Buster Murdaugh”) and all other assets, interests, real property including any and all rents, profits or value derived therefrom, personal property, rights, chattel and any other thing whatsoever without limitation which has value or can be monetized for value that were or will be gifted, inherited by, sold or in any other manner transferred to Buster Murdaugh from Alex Murdaugh or any other person, whether such transfer was direct or indirect, whether such transfer

involved intermediary third persons that are alive, deceased, operating or defunct, and whether such transferred assets are held, owned and/or controlled by Buster Murdaugh directly or indirectly and in whole or in part.

Temporary Injunction Granted

After careful consideration of the parties' written memoranda and arguments presented at the hearing, this Court finds that irreparable injury, loss or damage will result to Plaintiff in the absence of a temporary injunction prohibiting each of Defendant Alex Murdaugh and Defendant Buster Murdaugh from hiding, concealing, misappropriating, selling, encumbering, transferring, impairing the value of and otherwise disposing of any of the Alex Murdaugh Assets and any of the Buster Murdaugh Assets. Further, after careful consideration of all information presented to the Court, the Court finds that the balance of equities clearly weighs in favor of issuing a temporary injunction to prevent irreparable injury, damage or loss to Plaintiff's ability to recover damages from these Defendants for the wrongful death of her daughter. Therefore, this Court hereby issues a temporary injunction prohibiting each of Alex Murdaugh and Buster Murdaugh from hiding, concealing, misappropriating, selling, encumbering, transferring, impairing the value of and otherwise disposing of any of the Alex Murdaugh Assets and any of the Buster Murdaugh Assets, in whole or in part, during the pendency and through the final resolution of this lawsuit.

Appointment of Co-Receivers and Counsel; Scope and Terms of Receivership

After careful consideration of all information and arguments presented by the parties, this Court finds that Plaintiff's application to appoint the Co-Receivers is meritorious under the S.C. Code §15-65-10, the Court's equitable powers, and general principles of fraud and deceit under South Carolina law. Therefore, the Court hereby appoints Mr. Lay and Mr. McCoy as Co-Receivers over all Alex Murdaugh Assets and all Buster Murdaugh Assets and grants them the

broad rights, powers and authority as set forth in this Order. In addition, the Court hereby appoints Amy L.B. Hill, Esquire of Gallivan, White & Boyd, P.A. as counsel for the Co-Receivers in this matter, as further set forth herein.

The Court hereby grants, vests, imbues and otherwise empowers the Co-Receivers with the exclusive power and authority as to all of the Alex Murdaugh Assets and all of the Buster Murdaugh Assets (collectively, “the Subject Assets”), with the exclusive power and authority: (i) to investigate, identify and attempt to locate all of the Subject Assets; (ii) to collect, marshal and administer all of the Subject Assets; (iii) to accept service on behalf of Alex Murdaugh and/or Buster Murdaugh with respect to Alex Murdaugh Assets and/or Buster Murdaugh Assets, as the case may be; (iv) to engage counsel on behalf of Alex Murdaugh and/or Buster Murdaugh as it relates to Alex Murdaugh Assets and/or Buster Murdaugh Assets, as the case may be; and (v) to take any and all steps necessary to identify, recover, protect, collect, preserve, receive, manage, liquidate, sell, administer and marshal, and to do all things incidental, necessary and/or appropriate thereto, all of the Subject Assets during the pendency and final resolution of this lawsuit.

The Court’s granting of rights, power and authority by this Order is intended to be as broad as possible for the Co-Receivers to manage and decide all matters related in any way to the Subject Assets, to the express exclusion of any other person(s), except as expressly retained by this Court herein or that the Court is otherwise required to retain under applicable rules or law. In that regard, the Court expressly invalidates all powers of attorney or other grants of authority by Alex Murdaugh to Buster Murdaugh or any other person to act in any capacity with respect to the Subject Assets.

Without limiting any other provision of this Order, the broad rights, powers and authority granted by this Order are inclusive of, but not limited to, the right, power and authority to act in

the following ways with respect to Alex Murdaugh's and Buster Murdaugh's interests in the Subject Assets, taking into consideration the cost benefit analysis and economic viability of performing the following acts, respectively: (a) collect all accounts receivable and all rents from any tenant of any Subject Asset; (b) change locks to all premises at which any of Alex Murdaugh Assets or any of Buster Murdaugh Assets are situated in order to secure Subject Assets; (c) open any mail addressed to any business or professional entity owned solely or in part by Alex Murdaugh or Buster Murdaugh with the exception that Co-Receivers will not open any mail associated with legal clients or legal cases handled by Alex Murdaugh; (d) redirect the delivery of any mail addressed to Alex Murdaugh or to any of his businesses or professional endeavors or to Buster Murdaugh as it may reasonably relate to Buster Murdaugh Assets, so that such mail may come directly to either Co-Receiver; (e) endorse and cash all checks and negotiable instruments payable to Alex Murdaugh, except paychecks for current wages; (f) endorse and cash all checks and negotiable instruments payable to Buster Murdaugh which may relate to the Subject Assets; (f) hire a real estate broker to sell any and all real property and interests in land which constitute an Alex Murdaugh Asset or an Buster Murdaugh Asset; (g) hire any person or company to move and store any and all physical or tangible Subject Assets; (h) insure any Subject Assets (but not the obligation to do so); (i) obtain from any financial institution, bank, credit union, savings and loan or title company, credit bureau, brokerage firm, custodian, investment adviser or any other third party, all financial records, bank statements, wire transfer records, checks and other financial documentation belonging or pertaining to Alex Murdaugh or concerning any Subject Asset of Alex Murdaugh or Buster Murdaugh; (j) obtain from any landlord, building owner or building manager where his or his business is a tenant, copies of the subject lease, lease application, credit application, payment history and copies of Alex Muraugh's and Buster Murdaugh's checks, wire

transfer records, Venmo records or other records of payment related to any such lease; (k) hire any person or company necessary or appropriate to accomplish any right or power under this Order; (l) direct the liquidation, sale or transfer of any or all the Subject Assets; (m) take all action necessary to gain access to all storage facilities, safety-deposit boxes, real property, and leased premises wherein any of the Subject Assets may be situated, and to review and obtain copies of all documents related to the same; (n) obtain copies of all tax records, financial records and any other documents and information provided to a certified public accountant (CPA) by Alex Murdaugh, Buster Murdaugh and/or concerning any of the Subject Assets; (o) obtain all tax returns and any other documents associated therewith filed or submitted by Alex Murdaugh, individually or jointly with another person, and by Buster Murdaugh with all local, state and federal governments; (p) attempt to identify all Alex Murdaugh Assets already transferred by him to another person, including but not limited to the Buster Murdaugh Assets, and recover possession, custody, control and title to such assets for potential administration; (q) sign on behalf of Alex Murdaugh or Buster Murdaugh, as applicable, any and all documents related to the identification, collection, administration and disposition of any or all of Alex Murdaugh Assets and/or Buster Murdaugh Assets; (r) partition property owned by any group of persons which includes Alex Murdaugh or constitutes an Alex Murdaugh Asset and/or constitutes a Buster Murdaugh Asset; (s) institute, prosecute, compromise or defend civil suits and actions at law or equity related to any Alex Murdaugh Asset and/or to any Buster Murdaugh Asset in order to preserve such asset if such action is economically feasible considering the value of such Subject Asset; (t) pay from the Subject Assets all brokers, contractors, accountants, servants, administrators, representatives, process servers, consultants and attorneys considered by the Co-Receivers to be necessary or advisable in order for them to take the actions permitted and responsibilities under this Order; and

(u) take whatever other actions the Co-Receivers determine is incidental to, necessary or appropriate to protect and preserve Alex Murdaugh Assets and Buster Murdaugh Assets.

Based on the Court's experience in other receivership matters, and in an effort to streamline these proceedings, the Court expects the Co-Receivers to reasonably investigate the existence of all insurance coverages potentially available to Alex Murdaugh and Buster Murdaugh in receivership, including as an "additional insured" under coverage for another person.

The Court further orders that, as the Receiver Court, Alex Murdaugh and Buster Murdaugh, respectively, may not be sued in a civil matter outside this Court without obtaining the Co-Receivers' consent or an order of this Court prior to doing so. Likewise, Co-Receivers and Co-Receivers' Counsel may not be sued in their respective receivership capacities in a civil matter outside of this Court without obtaining the Co-Receivers' consent and/or the Co-Receivers' Counsel's consent, as the case may be, or an order of this Court prior to doing so.

The rights, powers and authority granted herein are in addition to, and not in lieu of, all powers vested in the Co-Receivers by applicable law or rule of the Court. The Co-Receivers shall be responsible only to the Court for the performance of the responsibilities as Co-Receivers. The Co-Receivers shall file reports with the Court only upon request of the Court or of a party to this action. The Co-Receivers and Co-Receivers' Counsel, as designated below, shall each serve without bond.

The Court further orders and hereby appoints Amy L.B. Hill, Esquire, of the law firm Gallivan, White & Boyd, P.A. to serve as counsel to the Co-Receivers in all matters associated with the Co-Receivers' duties, responsibilities, rights, powers and authority granted to them through this Order and any additional duties, rights, responsibilities, rights, power and authority vested in them under South Carolina law in regard to this matter.

This Court authorizes the Co-Receivers to, and expects that the Co-Receivers will, determine between them what, if any, division of actions they will permit to be undertaken by one of them and by Co-Receivers' Counsel. The Court does not require or expect that each and every action be undertaken by both Co-Receivers. The Co-Receivers may authorize or otherwise empower Co-Receivers' Counsel to do all things incidental to, necessary or appropriate to the duties, responsibilities, rights, power and authority granted to the Co-Receivers through this Order and any additional duties, rights, responsibilities, rights, power and authority vested in them under South Carolina law.

No bond was offered by Alex Murdaugh or Buster prior to entry of this Order; however, the Court will entertain a future request for bond by Alex Murdaugh or Buster in an amount commensurate with the gravity of the allegations against each Alex and Buster, the facts of this case, potentially aggravating circumstances, and similar verdicts awarded in comparable cases in the county in which this matter is pending.

The rights, powers, and authority granted or created herein are effective immediately and shall remain effective until the final resolution of this litigation, including all appeals, or until a subsequent order of this Court terminating the same upon a showing of just cause or other applicable standard under South Carolina law.

AND IT IS SO ORDERED this ____ day of _____ 2021.

Daniel D. Hall, Circuit Court Judge



Hampton Common Pleas

Case Caption: Renee S. Beach , plaintiff, et al VS Gregory M. Parker, Inc. ,
defendant, et al
Case Number: 2019CP2500111
Type: Order/Appointment of Receiver

So Ordered

s/Daniel D. Hall 2753

EXHIBIT 2

acknowledge Murdaugh is facing significant criminal charges and that mounting a defense to the same may be costly. After discussion and negotiation, the Co-Receivers and Murdaugh have reached an agreement whereby the Co-Receivers do not oppose Murdaugh's ability to acquire funds from his 401K fund for use in his criminal defense. In exchange Murdaugh has agreed that a portion of the 401K fund will be provided to the Co-Receivers for the Receivership Estate. Therefore, the Co-Receivers, with the consent of Murdaugh, request that the Court, in response to Murdaugh's Motion, enter an Order including the following conditions:

1. Murdaugh liquidates the entirety of his 401K account and pays the resulting tax liabilities and penalties associated with the same;
2. Murdaugh retains \$600,000 for the sole purpose of funding his criminal defense. Such funds will be immediately transferred to his counsel to hold in trust and be used solely for legal expenses and costs associated with the defense of his criminal prosecution. To the extent any funds remain after the conclusion of any criminal trial and appeal thereof, they shall be provided to the Co-Receiver for deposit to the receivership's Qualified Settlement Fund (the "Fund");
3. The remainder of funds made available by Murdaugh's liquidation of his 401K account shall be provided to the Co-Receivers for deposit to the Fund for administration consistent with the Receivership as ordered by the Court; and
4. Murdaugh shall not use any money so withdrawn for any other purposes.

The above proposal furthers and is consistent with the Co-Receivers' duties and obligations and accrues to the benefit of Murdaugh's creditors and potential creditors. The Co-Receivers obtain access to and control over funds otherwise statutorily restricted from the Receivership. In the absence of the relief sought, these funds may remain in Murdaugh's 401K indefinitely. Based on estimates of

federal tax penalties and tax liabilities, the Co-Receivers anticipate they will receive approximately \$300,000 as a result of this proposal. Meanwhile, the funds retained by Murdaugh are restricted to legal defense and not permitted to be used for living expenses or other indulgences. No funds liquidated under this proposal would remain available to Murdaugh for any other purpose at any time – both now and after his criminal prosecution. Therefore, the proposal increases the fund’s value for the benefit of Mr. Murdaugh’s creditors.

The above proposal would inure to the benefit of the Court, the Fund, and Murdaugh’s creditors. Therefore, for the reasons stated herein, the Co-Receivers request the Court grant Murdaugh’s motion subject to the restrictions detailed herein.

**CO-RECEIVERS JOHN T. LAY, JR.
AND PETER M. McCOY, JR.**

s/Jordan M. Crapps

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Counsel for Co-Receivers

October 21, 2022

WE CONSENT:

s/ Richard A. Harpootlian
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mfox@griffindavislaw.com

Attorneys for Richard Alexander Murdaugh

EXHIBIT 3

1. Murdaugh is hereby authorized to liquidate his individual retirement accounts and/or employer sponsored retirement account (hereafter collectively referred to as “401K Account”) in full and pay the resulting tax liabilities and penalties associated with the same, for the purpose of making \$600,000 in funds available for his criminal defense of the murder and other charges pending in *State v. Murdaugh*, 2022-GS-15-592 – 595 (“the criminal proceeding”);
2. According to the conditions mutually agreeable to Murdaugh and the Receivers pursuant to which this Order is entered, to the extent Murdaugh determines to liquidate his 401K Account for the purposes stated herein, he must liquidate it in its entirety;
3. The funds from any liquidation of Murdaugh’s 401K Account in full, net of tax liabilities and penalties, shall be distributed as follows:
 - a. Murdaugh may retain up to \$600,000 for the sole purpose of funding his criminal defense. Such funds shall be immediately transferred to his counsel to hold in trust and be used solely for legal expenses and costs associated with the defense of his criminal prosecution; and
 - b. The remainder of funds made available by Murdaugh’s liquidation of his 401K Account in full shall be provided to the Co-Receivers for deposit to the Receivership Estate for administration consistent with the Receivership as ordered by the Court.
4. At the conclusion of the criminal proceeding, Murdaugh’s counsel shall submit to this Court an accounting of all monies spent from the \$600,000 in proceeds from the 401K provided to them. To the extent any of Murdaugh’s 401K Account funds remain after the conclusion of any criminal trial and appeal thereof, such funds shall be provided to the Co-Receivers for the Receivership Estate; and

5. Murdaugh shall not use any money so withdrawn for any purpose other than those specifically described in this Order.

The Co-Receivers are hereby authorized to execute any such agreements as are necessary to effectuate the terms of this Order.

(Judge's Electronic Signature Page to Follow)



Hampton Common Pleas

Case Caption: Renee S. Beach , plaintiff, et al VS Gregory M. Parker, Inc. ,
defendant, et al
Case Number: 2019CP2500111
Type: Order/Relief

So Ordered

s/Daniel D. Hall 2753

EXHIBIT 4

STATE OF SOUTH CAROLINA

COUNTY OF HAMPTON

Renee S. Beach, as Personal Representative of
the Estate of Mallory Beach,

Plaintiff,

v.

Gregory M. Parker, Inc. d/b/a Parker's
Corporation, Richard Alexander Murdaugh,
Richard Alexander Murdaugh, Jr., John Marvin
Murdaugh, as P.R. of The Estate of Margaret
Kennedy Branstetter Murdaugh, and Randolph
Murdaugh, IV, as P.R. of the Estate of Paul Terry
Murdaugh,

Defendants.

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT

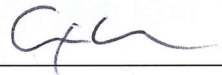
Civil Action No.: 2019-CP-25-00111

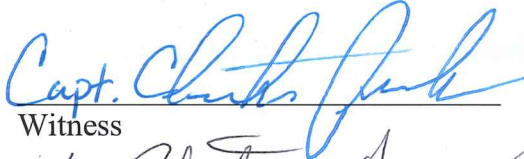
**WAIVER OF OBJECTION AND
APPEAL**

NOW COMES Defendant Richard Alexander Murdaugh ("Alex Murdaugh") who, after consultation with his counsel, voluntarily, knowingly and irrevocably waives any and all objection and appeal rights with regard to the Form 4 Order of this Court dated November 2, 2021 and the Order dated November 4, 2021 granting a temporary injunction and appointing Co-Receivers and Co-Receivers counsel. For purposes of clarity, the Form 4 Order dated November 2, 2021 and the Order dated November 4, 2021 are attached hereto as Exhibit A. This waiver is effective upon receipt by Richard Alexander "Buster" Murdaugh, Jr. (hereinafter "Buster") of the sums due him pursuant to that Settlement Agreement with, among other persons, the Estate of Margaret Kennedy Branstetter Murdaugh approved by the Court by Form 4 Order dated and filed January 24, 2023 (the "Settlement Agreement") and the filing of all dismissals with prejudice of Buster required by the Settlement Agreement.

(Signatures on next page)

Date: 3-22-23


Richard Alexander Murdaugh


Witness

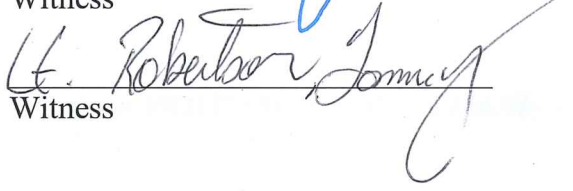

Witness

EXHIBIT A

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF Hampton
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2019CP2500111

Renee S. Beach et al
PLAINTIFF(S)

Gregory M. Parker, Inc. et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

After careful consideration, Plaintiff's Motion for Temporary Injunction and Appointment of Co-Receivers and Co-Receivers' Counsel is GRANTED.

Plaintiff's counsel, Mark Tinsley, is to prepare and file a formal order.

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 11/01/2021 .

Trustee Of The Murdaugh Residence Trust 2
Randolph Murdaugh, III
The Murdaugh Residence Trust 2-Removed
Luther'S Rare And Well Done, Llc
Kristy C. Wood-Removed
James M. Wood-Removed
Randolph Murdaugh-Removed, III

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



Hampton Common Pleas

Case Caption: Renee S. Beach , plaintiff, et al VS Gregory M. Parker, Inc. ,
defendant, et al
Case Number: 2019CP2500111
Type: Order/Electronic Form 4

So Ordered

s/Daniel D. Hall 2753

Electronically signed on 2021-11-01 14:01:26 page 3 of 3

easements, chattel, livestock, mineral rights, all useful things, liabilities capable of being re-characterized as assets, intellectual property, all rights to name, image or likeness, all publication rights to the events related in any way to Alex Murdaugh and contract rights and all other things, rights and interests without limitation that may be monetized for value, whether known or unknown, whether it is presently owned, held or controlled or was previously owned, held or controlled or will be owned, held or controlled in the future, whether actual or contingent, whether owned, held or controlled directly or indirectly and/or whether owned, held or controlled in whole or in part by Defendant Richard Alexander Murdaugh (“Alex Murdaugh”). For the avoidance of doubt, the term “Alex Murdaugh Assets” includes any and all assets transferred, concealed, hidden, sold, encumbered, or otherwise disposed of which previously were owned, held or controlled by Alex Murdaugh, directly or indirectly and in whole or in part.

The term “Buster Murdaugh Assets” as used in this Order shall mean any or all of the Alex Murdaugh Assets (as defined herein), as well as all intellectual property, all rights to name, image or likeness and all other publication and contract rights to the events related in any way to Alex Murdaugh and/or Buster Murdaugh, whether known or unknown, whether it is presently owned, held or controlled or was previously owned, held or controlled or will be owned, held or controlled in the future, whether actual or contingent, whether owned, held or controlled directly or indirectly and/or whether owned, held or controlled in whole or in part by Defendant Richard Alexander Murdaugh, Jr. (“Buster Murdaugh”) and all other assets, interests, real property including any and all rents, profits or value derived therefrom, personal property, rights, chattel and any other thing whatsoever without limitation which has value or can be monetized for value that were or will be gifted, inherited by, sold or in any other manner transferred to Buster Murdaugh from Alex Murdaugh or any other person, whether such transfer was direct or indirect, whether such transfer

involved intermediary third persons that are alive, deceased, operating or defunct, and whether such transferred assets are held, owned and/or controlled by Buster Murdaugh directly or indirectly and in whole or in part.

Temporary Injunction Granted

After careful consideration of the parties' written memoranda and arguments presented at the hearing, this Court finds that irreparable injury, loss or damage will result to Plaintiff in the absence of a temporary injunction prohibiting each of Defendant Alex Murdaugh and Defendant Buster Murdaugh from hiding, concealing, misappropriating, selling, encumbering, transferring, impairing the value of and otherwise disposing of any of the Alex Murdaugh Assets and any of the Buster Murdaugh Assets. Further, after careful consideration of all information presented to the Court, the Court finds that the balance of equities clearly weighs in favor of issuing a temporary injunction to prevent irreparable injury, damage or loss to Plaintiff's ability to recover damages from these Defendants for the wrongful death of her daughter. Therefore, this Court hereby issues a temporary injunction prohibiting each of Alex Murdaugh and Buster Murdaugh from hiding, concealing, misappropriating, selling, encumbering, transferring, impairing the value of and otherwise disposing of any of the Alex Murdaugh Assets and any of the Buster Murdaugh Assets, in whole or in part, during the pendency and through the final resolution of this lawsuit.

Appointment of Co-Receivers and Counsel; Scope and Terms of Receivership

After careful consideration of all information and arguments presented by the parties, this Court finds that Plaintiff's application to appoint the Co-Receivers is meritorious under the S.C. Code §15-65-10, the Court's equitable powers, and general principles of fraud and deceit under South Carolina law. Therefore, the Court hereby appoints Mr. Lay and Mr. McCoy as Co-Receivers over all Alex Murdaugh Assets and all Buster Murdaugh Assets and grants them the

broad rights, powers and authority as set forth in this Order. In addition, the Court hereby appoints Amy L.B. Hill, Esquire of Gallivan, White & Boyd, P.A. as counsel for the Co-Receivers in this matter, as further set forth herein.

The Court hereby grants, vests, imbues and otherwise empowers the Co-Receivers with the exclusive power and authority as to all of the Alex Murdaugh Assets and all of the Buster Murdaugh Assets (collectively, “the Subject Assets”), with the exclusive power and authority: (i) to investigate, identify and attempt to locate all of the Subject Assets; (ii) to collect, marshal and administer all of the Subject Assets; (iii) to accept service on behalf of Alex Murdaugh and/or Buster Murdaugh with respect to Alex Murdaugh Assets and/or Buster Murdaugh Assets, as the case may be; (iv) to engage counsel on behalf of Alex Murdaugh and/or Buster Murdaugh as it relates to Alex Murdaugh Assets and/or Buster Murdaugh Assets, as the case may be; and (v) to take any and all steps necessary to identify, recover, protect, collect, preserve, receive, manage, liquidate, sell, administer and marshal, and to do all things incidental, necessary and/or appropriate thereto, all of the Subject Assets during the pendency and final resolution of this lawsuit.

The Court’s granting of rights, power and authority by this Order is intended to be as broad as possible for the Co-Receivers to manage and decide all matters related in any way to the Subject Assets, to the express exclusion of any other person(s), except as expressly retained by this Court herein or that the Court is otherwise required to retain under applicable rules or law. In that regard, the Court expressly invalidates all powers of attorney or other grants of authority by Alex Murdaugh to Buster Murdaugh or any other person to act in any capacity with respect to the Subject Assets.

Without limiting any other provision of this Order, the broad rights, powers and authority granted by this Order are inclusive of, but not limited to, the right, power and authority to act in

the following ways with respect to Alex Murdaugh's and Buster Murdaugh's interests in the Subject Assets, taking into consideration the cost benefit analysis and economic viability of performing the following acts, respectively: (a) collect all accounts receivable and all rents from any tenant of any Subject Asset; (b) change locks to all premises at which any of Alex Murdaugh Assets or any of Buster Murdaugh Assets are situated in order to secure Subject Assets; (c) open any mail addressed to any business or professional entity owned solely or in part by Alex Murdaugh or Buster Murdaugh with the exception that Co-Receivers will not open any mail associated with legal clients or legal cases handled by Alex Murdaugh; (d) redirect the delivery of any mail addressed to Alex Murdaugh or to any of his businesses or professional endeavors or to Buster Murdaugh as it may reasonably relate to Buster Murdaugh Assets, so that such mail may come directly to either Co-Receiver; (e) endorse and cash all checks and negotiable instruments payable to Alex Murdaugh, except paychecks for current wages; (f) endorse and cash all checks and negotiable instruments payable to Buster Murdaugh which may relate to the Subject Assets; (f) hire a real estate broker to sell any and all real property and interests in land which constitute an Alex Murdaugh Asset or an Buster Murdaugh Asset; (g) hire any person or company to move and store any and all physical or tangible Subject Assets; (h) insure any Subject Assets (but not the obligation to do so); (i) obtain from any financial institution, bank, credit union, savings and loan or title company, credit bureau, brokerage firm, custodian, investment adviser or any other third party, all financial records, bank statements, wire transfer records, checks and other financial documentation belonging or pertaining to Alex Murdaugh or concerning any Subject Asset of Alex Murdaugh or Buster Murdaugh; (j) obtain from any landlord, building owner or building manager where his or his business is a tenant, copies of the subject lease, lease application, credit application, payment history and copies of Alex Muraugh's and Buster Murdaugh's checks, wire

transfer records, Venmo records or other records of payment related to any such lease; (k) hire any person or company necessary or appropriate to accomplish any right or power under this Order; (l) direct the liquidation, sale or transfer of any or all the Subject Assets; (m) take all action necessary to gain access to all storage facilities, safety-deposit boxes, real property, and leased premises wherein any of the Subject Assets may be situated, and to review and obtain copies of all documents related to the same; (n) obtain copies of all tax records, financial records and any other documents and information provided to a certified public accountant (CPA) by Alex Murdaugh, Buster Murdaugh and/or concerning any of the Subject Assets; (o) obtain all tax returns and any other documents associated therewith filed or submitted by Alex Murdaugh, individually or jointly with another person, and by Buster Murdaugh with all local, state and federal governments; (p) attempt to identify all Alex Murdaugh Assets already transferred by him to another person, including but not limited to the Buster Murdaugh Assets, and recover possession, custody, control and title to such assets for potential administration; (q) sign on behalf of Alex Murdaugh or Buster Murdaugh, as applicable, any and all documents related to the identification, collection, administration and disposition of any or all of Alex Murdaugh Assets and/or Buster Murdaugh Assets; (r) partition property owned by any group of persons which includes Alex Murdaugh or constitutes an Alex Murdaugh Asset and/or constitutes a Buster Murdaugh Asset; (s) institute, prosecute, compromise or defend civil suits and actions at law or equity related to any Alex Murdaugh Asset and/or to any Buster Murdaugh Asset in order to preserve such asset if such action is economically feasible considering the value of such Subject Asset; (t) pay from the Subject Assets all brokers, contractors, accountants, servants, administrators, representatives, process servers, consultants and attorneys considered by the Co-Receivers to be necessary or advisable in order for them to take the actions permitted and responsibilities under this Order; and

(u) take whatever other actions the Co-Receivers determine is incidental to, necessary or appropriate to protect and preserve Alex Murdaugh Assets and Buster Murdaugh Assets.

Based on the Court's experience in other receivership matters, and in an effort to streamline these proceedings, the Court expects the Co-Receivers to reasonably investigate the existence of all insurance coverages potentially available to Alex Murdaugh and Buster Murdaugh in receivership, including as an "additional insured" under coverage for another person.

The Court further orders that, as the Receiver Court, Alex Murdaugh and Buster Murdaugh, respectively, may not be sued in a civil matter outside this Court without obtaining the Co-Receivers' consent or an order of this Court prior to doing so. Likewise, Co-Receivers and Co-Receivers' Counsel may not be sued in their respective receivership capacities in a civil matter outside of this Court without obtaining the Co-Receivers' consent and/or the Co-Receivers' Counsel's consent, as the case may be, or an order of this Court prior to doing so.

The rights, powers and authority granted herein are in addition to, and not in lieu of, all powers vested in the Co-Receivers by applicable law or rule of the Court. The Co-Receivers shall be responsible only to the Court for the performance of the responsibilities as Co-Receivers. The Co-Receivers shall file reports with the Court only upon request of the Court or of a party to this action. The Co-Receivers and Co-Receivers' Counsel, as designated below, shall each serve without bond.

The Court further orders and hereby appoints Amy L.B. Hill, Esquire, of the law firm Gallivan, White & Boyd, P.A. to serve as counsel to the Co-Receivers in all matters associated with the Co-Receivers' duties, responsibilities, rights, powers and authority granted to them through this Order and any additional duties, rights, responsibilities, rights, power and authority vested in them under South Carolina law in regard to this matter.

This Court authorizes the Co-Receivers to, and expects that the Co-Receivers will, determine between them what, if any, division of actions they will permit to be undertaken by one of them and by Co-Receivers' Counsel. The Court does not require or expect that each and every action be undertaken by both Co-Receivers. The Co-Receivers may authorize or otherwise empower Co-Receivers' Counsel to do all things incidental to, necessary or appropriate to the duties, responsibilities, rights, power and authority granted to the Co-Receivers through this Order and any additional duties, rights, responsibilities, rights, power and authority vested in them under South Carolina law.

No bond was offered by Alex Murdaugh or Buster prior to entry of this Order; however, the Court will entertain a future request for bond by Alex Murdaugh or Buster in an amount commensurate with the gravity of the allegations against each Alex and Buster, the facts of this case, potentially aggravating circumstances, and similar verdicts awarded in comparable cases in the county in which this matter is pending.

The rights, powers, and authority granted or created herein are effective immediately and shall remain effective until the final resolution of this litigation, including all appeals, or until a subsequent order of this Court terminating the same upon a showing of just cause or other applicable standard under South Carolina law.

AND IT IS SO ORDERED this ____ day of _____ 2021.

Daniel D. Hall, Circuit Court Judge



Hampton Common Pleas

Case Caption: Renee S. Beach , plaintiff, et al VS Gregory M. Parker, Inc. ,
defendant, et al
Case Number: 2019CP2500111
Type: Order/Appointment of Receiver

So Ordered

s/Daniel D. Hall 2753

RECEIVED

Jul 13 2023

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

Appeal from Hampton County
Court of Common Pleas

The Honorable Daniel DeWitt Hall, Circuit Court Judge

Case No. 2019-CP-25-00111
Appellate Case No. 2023-001013

Renee S. Beach, as Personal Representative of the Estate of Mallory Beach, Respondent,

v.

Gregory M. Parker, Inc. d/b/a Parker’s Corporation, Richard Alexander Murdaugh, Richard Alexander Murdaugh, Jr., John Marvin Murdaugh, as P.R. of the Estate of Margaret Kennedy Branstetter Murdaugh, and Randolph Murdaugh, IV, as P.R. of the Estate of Paul Terry Murdaugh,..... Defendants,

OF WHOM Richard Alexander Murdaugh is Appellant.

PROOF OF SERVICE

I, the undersigned Legal Assistant of the law offices of Gallivan, White & Boyd, P.A., attorneys for the Co-Receivers John T. Lay and Peter M. McCoy, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) via email to counsel listed below:

**MURDAUGH CO-RECEIVERS JOHN T. LAY AND PETER M. MCCOY’S
STATEMENT ADDRESSING THE ISSUE OF APPEALABILITY
OR, IN THE ALTERNATIVE, MOTION FOR PERMISSION TO FILE *AMICUS*
CURIAE BRIEF**

Counsel Served:

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Phillip Donald Barber
Richard A. Harpootlian P.A.

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