

STATE OF SOUTH CAROLINA)
COUNTY OF NEWBERRY)

IN THE COURT OF COMMON PLEAS

JEFFERSON DAVIS, JR.)
Plaintiff)

vs.)

CHAD CONNELLY; DAVE WILSON;)
STEPHEN KIRKLAND; TOM PARSONS;)
NEIL MELLEN; E3 SOFTWARE, LLC;)
ENDURANCE INTERNATIONAL GROUP)
HOLDINGS, INC; JOHN DOE #1; JOHN)
DOE #2; & JOHN DOES 3-40;)
Defendants)

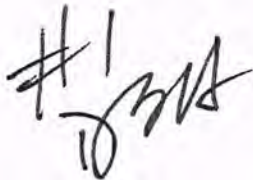
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Oct 13 2023
SC Court of Appeals

ORDER
AS TO MOTION TO QUASH
SUBPOENA TO E3 SOFTWARE
2020-CP-36-00382

A hearing was held on October 7, 2021 via Virtual Courtroom. The Plaintiff appeared pro se. Justin Novak appeared on behalf of Defendants Chad Connelly and Dave Wilson.

The Defendants raise essentially six grounds in support of their Motion:

1. The Subpoena was issued by the Clerk of Court for Greenville County and not Newberry County;
2. The Subpoena is extremely broad and seeks irrelevant information;
3. The Subpoena violates the Courts March 26, 2021 Order in this case;
4. The Subpoena violates an Order issued by Judge Casey Manning in a different case (Weaver);
5. The Subpoena is very similar to the subject Subpoena in the Weaver case;
6. The Plaintiff has not used discovery methods such as Request for Production to obtain information and/or documentation.



The Plaintiff concedes Ground 1 and apparently concedes Ground 2 as he offered to reissue his Subpoena limiting his requests.

The Court was faced with a similar dilemma as indicated in the above March 26, 2021 Order as to four other Subpoenas. The Court then was asked to find those Subpoenas to be overly broad and information it requested being irrelevant. The Court gave the Plaintiff an opportunity, post hearing (and if the Court remembers by email), to show relevancy which he was unable to do. The Court, in this case, is going to give the Plaintiff a similar opportunity without affecting or prejudicing the rights of the Defendants.

Accordingly, it is

HEREBY ORDERED THAT:

1. The Plaintiff, within fifteen (15) days, shall provide a list to counsel and the Court of what would otherwise be attached to a Subpoena making a request for information and/or documentation with the following cautionary limitations:

a. The Requests shall be concise and seek only relevant information and if necessary, the Plaintiff will provide a short statement as to relevancy if this issue can not be reasonably ascertainable by a reading of the Request;

b. The Requests can not be violative of any Orders issued in this case;

c. The Requests can not seek information and/or documentation that was previously ruled on with respect to Hammond, Kimbrell, and Citizens for Life.

2. After the above, if the Court allows for some or all of this information and/or documentation to be obtained, then the Court will require that a proper Subpoena be obtained;

Handwritten signature and initials, possibly "H2" and "BIA", in black ink.

3. That this Order is without prejudice to the Defendants concerning any and all grounds raised in their Motion to Quash and any additional grounds that may be raised.

SO ORDERED.



DONALD B. HOCKER
CIRCUIT COURT JUDGE

Laurens, South Carolina

Date: 11-30-21

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