

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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S.C. SUPREME COURT

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
Bentley Price, Circuit Court Judge

Appellate Case No.
2021-000837

In Re: IN THE MATTER OF: Estate of Paul Brandon Barringer II

Hampton B. LuzakAppellant

vs.

Merrill B. Light, Merrill U. Barringer as Personal Representative of the Estate of Paul Brandon Barringer II, Merrill B. Light as trustee of the Paul B. Barringer II Revocable Trust dated December 4, 1998, and Merrill B. Light as Trustee of the Merrill Barringer Light Revocable Trust Respondents

--and--

Coastal Forest Resources Company ("CFRC")Intervenor/Respondent

--and--

Hampton B. LuzakAppellant

vs.

Merrill U. BarringerRespondent

**MOTION FOR LEAVE TO FILE RETURN TO, AND FOR EXPEDITED RESOLUTION
OF, APPELLANT'S PETITION FOR REHEARING**

Respondents Merrill B. Light, Merrill U. Barringer as Personal Representative of the Estate of Paul Brandon Barringer II, Merrill B. Light as Trustee of the Paul B. Barringer II Revocable

Trust dated December 4, 1998, Merrill B. Light as Trustee of the Merrill Barringer Light Revocable Trust, and Intervenor/Respondent Coastal Forest Resources Company (collectively “Respondents”), request leave to file the Return attached hereto as Exhibit A to the Petition for Rehearing filed on October 23, 2023 (the “Petition”), by Appellant Hampton Luzak (“Luzak”). Respondents also request expedited resolution of the Petition.

Respondents request that the Court promptly deny the Petition to clarify the issues for the oral argument scheduled for November 14, 2023. Specifically, Respondents request that the Court confirm (again) that the oral argument in this appeal will **not** address the merits of the Bifurcation Order because the Bifurcation Order is not immediately appealable. On October 18, 2023, the Court issued its Clarification Order, which provided much needed clarity regarding the issues for the upcoming oral argument in these consolidated appeals. The Court explained that “argument will go forward only on issues on appeal numbered 1, 2, and 3 in what was originally Case No. 2021-000837.” Luzak’s Petition, in which she argues that the Bifurcation Order remains on appeal despite this Court’s repeated rulings to the contrary, creates uncertainty regarding the issues for oral argument, which is two weeks away. For the reasons set forth in their proposed Return, Respondents request that the Court summarily deny the Petition and confirm that the argument will address only issues 1, 2, and 3 in Case No. 2021-000837.

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