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S.C. SUPREME COURT

EXHIBIT A

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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Oct 30 2023

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

RETURN TO 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”), respond as follows to the Petition for Rehearing filed on October 23, 2023 (the “Petition”), by Appellant Hampton Luzak (“Luzak”).

Respondents request that the Court promptly deny the Petition and confirm (again) that the oral argument scheduled for November 14, 2023, will **not** address the merits of the Bifurcation Order because the Bifurcation Order is not immediately appealable.

This Court has repeatedly ruled that the Bifurcation Order is not immediately appealable, either as a stand-alone appeal or in connection with an appeal of other circuit court orders. On April 29, 2022, the Court denied review of the Court of Appeals’ dismissal of Luzak’s stand-alone appeal of the Bifurcation Order. On February 10, 2023, the Court dismissed Luzak’s attempt to bootstrap an appeal of the Bifurcation Order to her appeal of the other orders at issue in Appellate Case No. 2021-000837. The Court explained in that Order, “[t]o the extent [Luzak] attempts to ‘re-appeal’ the Bifurcation Order, we reiterate our prior ruling that the Bifurcation Order was interlocutory and not immediately appealable.”¹ Luzak did not file a petition for rehearing of the February 10 Order. Thus, as the Court stated in the Clarification Order issued on October 18, 2023, the Court’s dismissal of Luzak’s appeal of the Bifurcation Order in Case No. 2021-000837 is final.

The Clarification Order provided much needed clarity regarding the issues for oral argument. 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 creates uncertainty

¹ Respondents Merrill Barringer and Merrill Light explained that the Bifurcation Order is not immediately appealable with the other orders at issue in Case No. 2021-00837 because the Bifurcation Order lacks a sufficient nexus to any order properly on appeal. (*See* Respondents’ Am. Final Brief at pp. 32-34.)

regarding the issues for oral argument, which is only three weeks away. 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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Charleston, South Carolina
October 30, 2023

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