

Exhibit I

Order From Probate Court
Judge Lenra S. Kirchner presided
signed 13th day of July 2022
Filed with Probate Court
July 22, 2022

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
 IN THE MATTER OF: THE ESTATE OF DOLLY)
 LEGARE COLEMAN)
)
 JOHN SINCLAIRE, III, in his capacity as Personal)
 Representative for the Estate of Dolly L. Coleman,)
)
 Petitioner,)
)
 vs.)
)
 ATHENA L. IRLAND, CHRISTINA D. CULP,)
 ISADORE JOHN PSARAS, and BRANDY S. CULP,)
)
 Respondents.)

IN THE PROBATE COURT
 CASE NO.: 2019-ES-10-1368

ORDER

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 SC Court of Appeals

Hearing Date:	April 7, 2022
Presiding Judge:	Lenna S. Kirchner
Petitioner:	John a/k/a "Jack" Sinclair, Esq.
Petitioner's Attorney:	David Michel, Esq.
Respondents:	Athena L. Irland Christina D. Culp Isadore John Psaras Brandy S. Culp
Respondents' Attorney:	Daniel S. Slotchiver, Esq. and Stephen M. Slotchiver, Esq. for Brandy S. Culp
Court Reporter:	Ashley Manini

THIS MATTER came before the court upon the filing of a Summons and Petition for a Declaratory Judgment filed by David Michel, Esq. on behalf of Personal Representative John, a/k/a "Jack" Sinclair, Esq. on September 8, 2021.

Present were John, a/k/a "Jack" Sinclair, Esq. as Personal Representative of the Estate, as well as his counsel, David Michel, Esq.; Athena Ireland, without legal counsel; Christina Culp,

without legal counsel; and Brandy Culp, represented by Daniel S. Slotchiver, Esq. and Stephen M. Slotchiver, Esq.

Prior to the presentation of testimony, Daniel Slotchiver, Esq., on behalf of Brandy S. Culp, moved for Summary Judgment on the issue of reinstating the Last Will and Testament drafted by John Lynn McCants based on the argument that this Court had previously determined and ruled in an Order dated June 29, 2017, from a hearing held on October 18, 2016, that 1) Athena Irland had exercised Undue Influence on the same day of the alleged destruction of her Last Will (October 28, 2014), in the presence of John Lynn McCants, 2) Athena Irland owed a fiduciary duty to the Decedent under a Confidential Relationship, which was breached, and that on that same date the Decedent was medically incapacitated prior to the tearing up of said Will, and as such would not have had the Capacity to destroy said Will, thus rendering said will her testamentary desire. This Motion was denied.

Upon review of the file and after hearing testimony of the parties, the Court makes the following findings of fact and conclusions of law:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. This Court has jurisdiction over this matter and venue is proper pursuant to S.C. Code Ann. §§62-1-302 and 62-3-201(a)(1).
2. This Court finds that proper notice was given to all parties with an interest in this matter pursuant to S.C. Code Ann. § 62-1-401.
3. Dolly Dimples Legare Coleman (“Decedent”) died on March 21, 2019.
4. Decedent was adjudicated as incapacitated in Charleston County Probate Court Case No. 2014-GC-10-0210.
5. During a hearing in the Guardianship and Conservatorship case on October 18, 2016, the Court heard arguments regarding allegations of undue influence by Athena Irland

- on Decedent in regard to the execution of two deeds of conveyance on October 28, 2014. This Court takes judicial notice of the file and proceedings from the Guardianship and Conservatorship case (2014-GC-10-0210) of Decedent.
6. On June 29, 2017, the Court issued an Order from the October 18, 2016 hearing rescinding the subject deeds due to lack of requisite capacity by Decedent on the date of execution (October 28, 2014) and undue influence exercised by Respondent Athena Irland on Decedent. The Order included excerpts from extensive live testimony and/or testimony from depositions taken from several professionals, including Decedent's treating physician, Guardian, and Conservator.
 7. Respondent Athena Irland filed a Notice of Appeal in regard to the June 29, 2017 Order with the South Carolina Court of Appeals on July 27, 2017. The South Carolina Court of Appeals dismissed the matter on August 22, 2017 due to Appellant's failure to provide proof that the parties consented in writing or on the record to appeal directly to said court as set forth in S.C. Code Ann. 862-1-308(l). No additional appeals or Motions for Reconsideration regarding the June 29, 2017 Order have been filed.
 8. John, a/k/a "Jack" Sinclaire, Esq. ("Petitioner"), previously served as Decedent's Guardian and was appointed as the Personal Representative of her Estate on August 8, 2019, with the consent of the Respondents.
 9. Petitioner filed a Summons and Petition seeking a Declaratory Judgment from the Court on September 8, 2021.
 10. Respondents are Decedent's children and grandchild.
 11. Decedent executed a Last Will and Testament on October 20, 2008 ("2008 Will"), and executed a subsequent Last Will and Testament on August 31, 2009 ("2009 Will").

12. Respondent Athena Irland is a daughter of Decedent, an intestate beneficiary, and a listed devisee under both the 2008 Will and the 2009 Will.
13. Respondent Christina D. Culp is a daughter of Decedent, an intestate beneficiary, and a listed devisee under both the 2008 Will and the 2009 Will.
14. Respondent Isadore John Psara is a son of Decedent, and intestate beneficiary, and a listed devisee under the both the 2008 Will and the 2009 Will.
15. Respondent Brandy S. Culp is a granddaughter of Decedent and a listed devisee under both the 2008 Will and the 2009 Will.
16. The 2008 Will was executed by Attorney Heyward Carter and the 2009 Will was executed by Attorney Lynn McCants.
17. The 2009 Will revokes all Wills and Codicils that Decedent had previously made.
18. It is undisputed by the parties that Decedent was taken to the office of Lynn McCants, Esq., by Respondent Athena Irland on October 28, 2014, stated that it was her intention to revoke the 2009 Will, and physically tore the 2009 Will in half in the presence of Mr. McCants.
19. Petitioner originally sought a ruling from the Court that Decedent died intestate due to the destruction of the 2009 Will, which had revoked the 2008 Will, and the lack of any subsequent Last Will and Testament. After learning of additional information to be presented by counsel for Respondent Brandy S. Culp at the hearing, Petitioner informed the Court that he was no longer taking a position as the validity of the 2009 Will and/or the possibility that Decedent died intestate and would instead allow the Court to hear the arguments of the Respondents on those issues.
20. During arguments presented by Respondent Brandy S. Culp, an original transcript wherein Andrew Chandler, an estate planning attorney in Charleston, South Carolina,

had previously testified at the October 18, 2016 hearing, was handed to the Court for its review and made a part of the Record as Exhibit 1. Mr. Chandler testified and that he had reviewed the transcript of his testimony from the last hearing regarding Decedent and confirmed that it was truthful and accurate.

21. John, a/k/a "Jack" Sinclair was then called to testify. He testified that in his investigation as to the facts surrounding the destruction of the 2009 Last Will and Testament, drafted by Lynn McCants, he was advised by attorney McCants that the destruction took place on October 28, 2014. This Court takes notice of the fact that this is the same day on which this Court previously determined the invalidity of a deed based on Undue Influence, breach of a Confidential Relationship, and lack of capacity of Decedent.
22. John Lynn McCants, a lawyer in Mount Pleasant, testified that he had drafted the 2009 Will of Decedent, that he witnessed the destruction of the Will, wherein both Decedent and Ms. Irland were present at his office, that he does not dispute the purported destruction date of October 28, 2014, that he was not aware of the Court rulings about other events that occurred on that date, but had he known of the same, he would have had concern about the ability and correctness of Decedent destroying her Will.
23. Mr. McCants presented the actual torn will, as well as a living will, healthcare power of attorney and a general durable power of attorney, all likewise destroyed on that same date. Mr. McCants also testified that Decedent told him "I'll get back with you, we'll do another Will...", but this act never took place.
24. When asked if it was customary for a client to create a new Will before destroying an old one, Mr. McCants testified that it was not.

25. Mr. McCants further testified that he did not have medical training to assist in determining capacity or undue influence and that with regard to Decedent, that he was "surprised" when he learned that Decedent had gone to another lawyer regarding an attempted deed transfer, an action later explained by Ms. Ireland when she testified that "...it was my decision to go to Jack Williams." This Court notes that Mr. Williams is the lawyer who drafted the vacated deed and notes the representation of "my decision" in the testimony provided as evidence that Ms. Ireland had exerted control over Decedent.
26. The Court finds that its ruling on June 29, 2017, that Decedent was unduly influenced by Respondent Ireland and that Decedent lacked capacity to execute deeds of conveyance on October 28, 2014, which has not been overturned or amended, would logically extend to the alleged revocation of the 2009 Will on that same day under similar circumstances. The case law and statutory law cited in the June 29, 2017 Order are equally applicable here.
27. The Court therefore finds that Decedent lacked the capacity to revoke the 2009 Last Will and Testament and that the 2009 Will represents the Decedent's testamentary desires.

Based on the foregoing, it is hereby

ORDERED, ADJUDGED AND DECREED that the Last Will and Testament of the Decedent executed on August 31, 2009 was not effectively revoked due to lack of capacity of the Decedent and undue influence at the hands of Respondent Ireland. It is ordered that the Last Will and Testament of the Decedent executed on August 31, 2009 shall be re-assembled, copied, and admitted to the Court as an original Last Will and Testament of Dolly Legare Coleman; it is further

ORDERED, ADJUDGED AND DECREED that the Estate of Dolly Legare Coleman shall be administered as a testate estate in accordance with the South Carolina Probate Code; it is further

ORDERED, ADJUDGED, AND DECREED that this Order shall be subject to such further Orders of this Court as may become necessary.

IT IS SO ORDERED.



Lenna S. Kirchner
Associate Judge of Probate
Charleston County

This 13th day of July, 2022
Charleston, South Carolina.