

**Aaron J. Hayes**

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**Subject:** FW: Bauknight v. Pope / Case 4900

**From:** Mark V. Gende  
**Sent:** Tuesday, April 16, 2024 9:07 AM  
**To:** Daryl Williams <daryl@williamslawfirmssc.com>  
**Subject:** RE: Bauknight v. Pope / Case 4900

Daryl:

Certainly, you may have that time. Please call me with any questions.

Mark

Mark V. Gende, Esq.  
Sweeny, Wingate & Barrow, PA  
1515 Lady Street  
Columbia, South Carolina 29201  
T 803.256.2233  
F 803.256.9177

**From:** Daryl Williams <daryl@williamslawfirmssc.com>  
**Sent:** Monday, April 15, 2024 6:44 PM  
**To:** Mark V. Gende <MVG@swblaw.com>  
**Subject:** Re: Bauknight v. Pope / Case 4900

Mark,

First I've heard of this. I'm tied up in a two day arbitration beginning tomorrow. I'd appreciate it if I could have through Friday to respond to this.

Daryl

--  
Daryl L. Williams, Esq.  
Of Counsel  
Williams Law Firm, LLC  
PO Box 50725  
Columbia, SC 29250  
(803)-917-7879  
Web: [williamslawfirmssc.com](http://williamslawfirmssc.com)

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On Mon, Apr 15, 2024 at 3:14 PM Mark V. Gende <[MVG@swblaw.com](mailto:MVG@swblaw.com)> wrote:

Adam, Daryl, and Jeff:

Now that your client's petition for certiorari concerning a simple discovery order has been filed, our return will be forthcoming.

I do not know how much involvement each of you had in preparing and filing Mrs. Pope's petition. I suppose it is possible your name was included on the signature page as a matter of course. However, your prior affidavits lead me to think otherwise.

Out of professional courtesy, I am writing to inform each of you that should you not file something by the close of business this Wednesday either withdrawing the petition in its entirety or withdrawing your signature(s) as counsel from the petition, we will, consistent with the emails below, seek sanctions against not only your client but also against all of her still-involved counsel for this frivolous and abusive filing, the only purpose of which can be further to delay Case 4900.

We will not seek sanctions regarding this petition against those who withdraw their name from the filing. And we will not seek sanctions regarding the petition against Mrs. Pope should she withdraw her petition and comply with the order. Should she continue the petition pro se, we will still seek sanctions against her. We find it distasteful to take this action against fellow South Carolina lawyers, but will be left no option should you and your client continue with this frivolous petition.

Please discuss this with your client and among yourselves. Should you have any questions, please do not hesitate to contact me. As of the sending of this email, none of you have reached out to me at any time during the email string below to discuss this important issue.

Regards,

Mark

Mark V. Gende, Esq.

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**From:** Mark V. Gende

**Sent:** Wednesday, April 3, 2024 1:26 PM

**To:** '[daryl@williamslawfirm.com](mailto:daryl@williamslawfirm.com)' <[daryl@williamslawfirm.com](mailto:daryl@williamslawfirm.com)>; Adam Silvernail ([adam@silvernaillawfirm.com](mailto:adam@silvernaillawfirm.com)) <[adam@silvernaillawfirm.com](mailto:adam@silvernaillawfirm.com)>; Jeff Smith <[wjstv@mindspring.com](mailto:wjstv@mindspring.com)>

**Cc:** Aaron J. Hayes <[AJH@swblaw.com](mailto:AJH@swblaw.com)>; Ken B. Wingate <[KBW@swblaw.com](mailto:KBW@swblaw.com)>

**Subject:** RE: Bauknight v. Pope / Case 4900

Daryl, Adam, and Jeff:

I am following up on my email below (several strings below). I have not received any discovery from you in response to the motion to compel, which has now been upheld by the Court of Appeals.

I have attached two recent court orders. The Supreme Court's order denying our motions to certify and to transfer explicitly states the Court believes the Court of Appeals matter concerning the compelled discovery to be concluded and further warns of "Adele J. Pope's repeated abusive and meritless filings." And the Supreme Court's rule to show cause why Mrs. Pope should not be held in criminal contempt illustrates the gravity of the potential consequences she is facing concerning her other actions.

Therefore, I again ask that you provide to me, within 3 days of this email, full and complete responses to the discovery that Mrs. Pope has been compelled to provide or that you contact me to arrange a mutually agreeable time for your client to fully comply with the responses and production.

I trust that you will not waste time and money by relying on the technical argument that remittitur has not yet issued, therefore you are under no obligation to act until that time. As you know, remittitur simply indicates which court has jurisdiction at a given time. The status of remittitur does not prevent you from acting now. Further, I politely and collegially advise you once again (see below) that filing a petition for certiorari under these circumstances will be met by a response asking for the strongest possible sanctions against all involved, because there can be no question that such a filing concerning a discovery order would be, to use the Supreme Court's wording "abusive and meritless" and would be denied.

I am aware of the difficult positions that your client puts you in, and I find it very unpleasant to write this email to you. Mrs. Pope has delayed this matter for too long. I trust you will advise her to comply promptly with the compelled discovery in order to avoid creating another unnecessary conflict requiring us to ask the courts to take harsh steps.

I am willing to discuss this matter with you at any time or to discuss any matter related to Case 4900, including resolution. Please give me a call.

Regards,

Mark

Mark V. Gende, Esq.

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**From:** Mark V. Gende

**Sent:** Wednesday, March 20, 2024 1:51 PM

**To:** [daryl@williamslawfirm.com](mailto:daryl@williamslawfirm.com)

**Subject:** FW: Bauknight v. Pope / Case 4900

**Importance:** High

Darly:

Fourth shot at it. Please let me know if you receive it

Thanks,

Mark V. Gende, Esq.

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**From:** Mark V. Gende

**Sent:** Wednesday, March 20, 2024 12:43 PM

**To:** [darly@williamslawfirm.com](mailto:darly@williamslawfirm.com)

**Cc:** Adam Silvernail ([adam@silvernaillawfirm.com](mailto:adam@silvernaillawfirm.com)) <[adam@silvernaillawfirm.com](mailto:adam@silvernaillawfirm.com)>

**Subject:** FW: Bauknight v. Pope / Case 4900

**Importance:** High

Daryl:

Third time is the charm—hopefully! I had your name misspelled in the forward below of the email below that.

Mark

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**From:** Mark V. Gende

**Sent:** Wednesday, March 20, 2024 12:12 PM

**To:** [darly@williamslawfirm.com](mailto:darly@williamslawfirm.com)

**Cc:** Adam Silvernail ([adam@silvernaillawfirm.com](mailto:adam@silvernaillawfirm.com)) <[adam@silvernaillawfirm.com](mailto:adam@silvernaillawfirm.com)>

**Subject:** FW: Bauknight v. Pope / Case 4900

**Importance:** High

Darly:

I sent the below to your other email address and it bounced back. Please see below. Thanks.

Mark

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**From:** Mark V. Gende

**Sent:** Wednesday, March 20, 2024 11:29 AM

**To:** Adam Silvernail ([adam@silvernaillawfirm.com](mailto:adam@silvernaillawfirm.com)) <[adam@silvernaillawfirm.com](mailto:adam@silvernaillawfirm.com)>; Daryl Williams <[dwilliams@gertzandmoore.com](mailto:dwilliams@gertzandmoore.com)>

**Cc:** Aaron J. Hayes <[AJH@swblaw.com](mailto:AJH@swblaw.com)>; Ken B. Wingate <[KBW@swblaw.com](mailto:KBW@swblaw.com)>

**Subject:** Bauknight v. Pope / Case 4900  
**Importance:** High

Daryl and Adam:

Now that the court of appeals has denied your motion for reconsideration and rejected your request for a hearing en banc, please provide us full and complete discovery responses as ordered by the court within 10 days of this email. Should you need a copy of the court's order and the related discovery, please let me know.

I trust you will not put everyone, the court included, through the time and expense of a frivolous petition for certiorari on top of a frivolous appeal of a discovery order. Should you petition for cert, we will consider that as a proper basis for moving for additional sanctions against all associated with the filing. I regret being so direct, but must be under the circumstances, as Mrs. Pope's history of taking unreasonable and frivolous actions, and those actions being certified by counsel under Rule 11 and the Frivolous Proceedings Act, is now the law of the case.

Please let me know if you have any questions or would like to discuss any matter related to the case or its resolution.

Regards,

Mark



Mark V. Gende | *Member*  
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