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S.C. SUPREME COURT

# EXHIBIT A

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )  
 )  
 )  
Russell L. Bauknight, as Personal )  
Representative of the Estate of James )  
Brown and as Trustee of the James )  
Brown 2000 Irrevocable Trust, et al., )  
 )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
Adele J. Pope, )  
 )  
 )  
Defendant. )

IN THE COURT OF COMMON PLEAS  
FOR THE FIFTH JUDICIAL CIRCUIT

Case No. 2010-CP-40-04900

PLAINTIFFS' MOTION TO COMPEL

**TO: ADAM SILVERNAIL, ESQ. AND DARYL WILLIAMS, ESQ., ATTORNEYS FOR THE DEFENDANT, AND TO THE DEFENDANT ABOVE-NAMED:**

YOU WILL PLASE TAKE NOTICE THAT THE PLAINTIFFS, by and through the undersigned attorneys, intend to move, and do hereby so move, for an Order compelling Defendant Pope to answer—fully and completely and without objection—certain of Plaintiffs’ Interrogatories and Requests to Produce. Plaintiffs intend to present this Motion in open court, at the Richland County Courthouse, on the tenth (10<sup>th</sup>) day after service hereof, or as soon thereafter as the Court may direct. This Motion is made pursuant to Rule 37(a) of the *South Carolina Rules of Civil Procedure* and encompasses the following deficient responses:

- Defendant Pope’s Answers to Plaintiffs’ First Interrogatories Nos. 11, 12, and 13 (relevant portion attached hereto as **Exhibit A**);
- Defendant Pope’s Responses to Plaintiffs’ First Requests to Produce No. 5 (relevant portion attached hereto as **Exhibit B**) (text of Request inadvertently omitted from

Defendant's Response; Request requested state/federal income tax returns of Defendant filed from 2005 to 2010); and

- Defendant Pope's Answer to Plaintiffs' Renewed First Interrogatory No. 3 (relevant portion attached hereto as **Exhibit C**).

These discovery requests inquire into Defendant's available insurance coverage and/or assets available to satisfy a judgment. Defendant Pope is in default in this matter and Plaintiffs are awaiting a damages hearing. Therefore, Plaintiffs are entitled to full and complete responses without objection.

### **CONCLUSION**

Based upon the foregoing, Plaintiffs respectfully request an Order from the Court compelling Defendant Pope to supplement her answers to the aforementioned Interrogatories and Requests to Produce. Plaintiffs also pray for an award of the fees and costs associated with this Motion. This Motion may be supplemented by a Memorandum of Law.

Respectfully submitted,

**SWEENY, WINGATE & BARROW, P.A.**

s/ Aaron J. Hayes  
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**ATTORNEYS FOR PLAINTIFFS**

Columbia, South Carolina

July 11, 2023

**RULE 11 CERTIFICATION**

The undersigned hereby certifies that consultation with opposing counsel concerning the foregoing issues has been unsuccessful and/or would serve no useful purpose.

s/ Aaron J. Hayes