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Oct 21 2024

SC Court of Appeals

The State of South Carolina  
In The Court of Appeals

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Appeal from Dorchester County  
Hon. Heath P. Taylor, Circuit Court Judge

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Appellate Case 2023-000720  
Cases No. 2006-CP-18-01310  
2006-CP-18-01311  
2006-CP-18-01636

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John Doe #53, John Doe 66, John Doe 66A, John Doe 67,  
Jane Doe 1 and Jane Doe 2 and Rachel Roe, individually  
and as representatives of a class of people similarly situated,  
Plaintiffs,

Of whom class members Julie McDonald and  
Richard McDonald are the Appellants,

v.

The Bishop of Charleston a Corporation sole, and the Bishop of  
The Diocese of Charleston, in his official capacity, Respondents,

And

David K. Haller, Lawrence E. Richter, Jr., and Richter  
& Haller, LLC, Intervenors.

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Appellants' Return to  
Intervenors' Renewed Motion to Dismiss

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Appellants oppose the Intervenors' renewed motion to dismiss. The motion  
should be denied. No artificial intelligence was used in preparing this Return.

We appreciate the intervenors' collective desperation to keep the merits of this appeal from being considered, given the evidence in the record of, among other things, the collusion of the class action settlement at issue (e.g., Appellants' brief at 1 - 15), the judge-shopping they engaged in (e.g., Appellants' brief beginning at p. 4), the fee payment the intervenors concealed from the court (e.g., Appellants' brief beginning at p. 11), the intervenors' outrageous and blatantly fraudulent time records (e.g., Appellants' brief at pp. 16 and 31 and n. 21), and the fees and costs intervenors charged class members (including appellants) that were not authorized by any court order (e.g., Appellants' brief at p. 35). So trying to dismiss the appeal for electronic service that complied with the court's service order is entirely understandable, even though it is not a proper route for the intervenors to escape the merits of the appeal. And, of course, there is no contention the Record was not received.

Contrary to the intervenors' contention, renewed motion at 2, the service of the Record exactly complied with the Supreme April 24, 2024 Supreme Court order on electronic service for appellate documents. Appellants do not concede otherwise. That order requires, "Documents must be emailed as an attachment in .pdf," with a copy of the email provided with the proof of service. Exactly what was done.

The order does *not* restrict the way in which a given email provider conveys an attachment, which intervenors' motion proposes is somehow required, as if the order states, "Documents must be emailed as an attachment in .pdf, *unless ....*" Plainly, the

order imposes no such limitation.

Nor does the electronic service order, or any other order of the Supreme Court, limit the email which counsel registers with AIS, the Attorney Information Service, tracked and used by the court. Intervenors' motion presumes that registering an email required counsel to verify how a given email service conveyed one or more attachments of varying size.

Nor is there any practical difference between the way an email service attaches a large file versus a small file, as each is accessible to the recipient by means of a single mouse click.

Intervenors' motion is entirely an exercise of form over substance. Apparently in intervenor's minds, desperate times to avoid the court considering the merits of the appeal call for desperate measures.

#### Conclusion

The service of the Revised Record complied with the Supreme Court's order on electronic service. The Court of Appeals is not at liberty to disregard the order of the Supreme Court. The motion should be denied.

Respectfully submitted,

*s/ Gregg Meyers*

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Respondents,

And

David K. Haller, Lawrence E. Richter, Jr., and Richter  
& Haller, LLC,

Intervenors.

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Proof of Service

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Counsel for the appellants has served the Appellants' Return to Renewed Motion to Dismiss by sending to the email address of each of the counsel listed below a copy of the Return and this Proof of Service.

Richard S. Dukes  
Sam Sammartaro  
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Turner Padget Graham & Laney, PA  
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A copy of the email by which the electronic service was made is attached to this Proof of Service.

Done October 19, 2024.

Respectfully submitted,

*s/ Gregg Meyers*  
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G Meyers &lt;attygm@gmail.com&gt;

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**Return to Renewed Motion to Dismiss**

1 message

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**G Meyers** <attygm@gmail.com>

Sat, Oct 19, 2024 at 1:58 PM

To: "Sammataro, Sam" <ssammataro@turnerpadget.com>, Rich Dukes <rdukes@turnerpadget.com>, Ben Bruner <bbruner@brunerpowell.com>, Chelsea Clark <cclark@brunerpowell.com>, "John E. Cuttino (jcuttino@gwblawfirm.com)" <jcuttino@gwblawfirm.com>

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Attached please find Appellant's Return to the Renewed Motion to Dismiss.

Gregg Meyers  
Attorney At Law

843-324-1589  
[attygm@gmail.com](mailto:attygm@gmail.com)

This email is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521 and is legally privileged. The Information contained in this communication is confidential, is subject to the attorney-client privilege or other privileges, may constitute inside information, and is intended only for the use of the addressee. It is the property of Gregg Meyers. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify me immediately by return e-mail, and destroy this communication and all copies thereof, including all attachments.

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