



Jenna McLeod

From: Devon Puriefoy <devon@truluckthomason.com>
Sent: Friday, August 27, 2021 6:32 PM
To: Tyler Mcleod; Kimberly Thomason; Faulkner, Debora
Cc: Campos-Ivey, Kim; Sonya; Erin Callahan
Subject: Re: In re The Estate of Florence Mensch

RECEIVED
Aug 13 2025
S.C. SUPREME COURT

[EXTERNAL]
Your honor,

A Motion for an Order of Protection was filed earlier today so it is disappointing that this information has already been produced especially against the backdrop of Mrs. Thomason's correspondence seeking a conference with your honor in an effort to avoid this very situation, please see below. The purpose of Rule 11 is to prevent the needless filing of motions that could otherwise be resolved between counsel if given an opportunity to discuss. The importance of this rule is on full display given Mr. McLeod most recent filing with the Court. In Petitioner's Motion for a Temporary Restraining Order it is suggested, as it has been throughout the duration of this litigation, that Respondent has engaged in nefarious conduct without fully vetting those allegations. Rule 11 allows for four (6) occasions under which no attempt to resolve a proposed motion is required: (1) Motions to Dismiss; (2) Motions for Summary Judgment; (3) Motions for New Trial or Judgment NOV; (4) Motions for Temporary Relief pursuant to Family Court Rule 21; (5) real estate foreclosures; and (6) with pro se litigants. The instant motion does not fit within any of these categories. As a direct result of Petitioner's unilateral election to not attempt in good faith to resolve the matter contained in the motion, and the prejudicial nature of the same, Respondent is left with little option but to seek the drastic remedy of sanctions which given Petitioner's most recent conduct seems all too appropriate.

Moreover, despite Petitioner's most recent unfounded allegations, the funds allegedly used by Respondent, which gave rise to Petitioner's most recent filing, are in fact sitting safely within the IOLTA account of the Law Offices of Truluck Thomason, LLC. This information is not being voluntarily submitted to the Court, but rather, Petitioner has forced Respondent's counsel's hand in disclosing this otherwise irrelevant and confidential information (a legal argument that will be made at the appropriate time for this Court's consideration) through their repeated interim post-trial filings.

Since the temporary conclusion of the trial on August 18, 2021, Respondent has been forced to respond to needless filing after needless filing. As set forth more fully in Respondent's Motion for Protection From Discovery, the information that was sought, and has now been produced, can only be used to determine Respondent's ability to pay punitive damages, which according to this Court's July 2021 Order, is beyond the jurisdictional reach of this Court. A litigant's "ability to pay" is otherwise limited to supplemental proceedings, which Petitioner has made every attempt to circumvent.

This correspondence is not being submitted without due consideration and has been discussed at length between Mrs. Thomason and I. However, Respondent has attempted at every turn to remain professional, accommodating, and otherwise lenient on the strict application of the South Carolina Rules of Civil Procedure and Evidence. It is unfortunate that even mid-way through the merits hearing the Petitioner continues to engage in what can only be viewed as strategic and unnecessarily prejudicial tactics given the Court's acumen in discerning the facts.

As the Court likely now know, the most recent filings will, of course, alter the trajectory of this merits hearing and force Respondent to completely rethink its trial strategy despite the countless hours poured into preparing for a case given the evidence that was available pre-trial.

We seek only to foster the expeditious resolution of this case which has also been the clear intent of the Court. These attempts have been frustrated at every turn and Respondent now looks to the Court for guidance on how to achieve this goal.

Very Respectfully submitted,

Kimberly Thomason & Devon Puriefoy

[Get Outlook for iOS](#)

From: Tyler Mcleod <tmcleod@bmemhlaw.com>
Sent: Friday, August 27, 2021 5:18:27 PM
To: Kimberly Thomason <kim@truluckthomason.com>; Faulkner, Debora <DFaulkner@greenvillecounty.org>
Cc: Campos-Ivey, Kim <KCampos@greenvillecounty.org>; Devon Puriefoy <devon@truluckthomason.com>; Sonya <sonya@truluckthomason.com>; Erin Callahan <ecallahan@bmemhlaw.com>
Subject: RE: In re The Estate of Florence Mensch

Judge Faulkner,

T. Rowe Price has produced the records pursuant to the subpoena. The records produced have raised major cause for concern given that his retirement account is now down to less than \$1,000.

Between April 1, 2021 and June 30, 2021, Petitioner has transferred \$267,105.00 out of his T. Rowe Price retirement account to his Bank of America Account ending in 3259. There needs to be an order from a Court that Respondent cannot completely liquidate his accounts and spend down the money to zero. I do not know if he has done that as we have not seen the latest Bank of America statements yet. However, liquidating his retirement account that fast causes great concern and the timing of it is obviously concerning.

Attached is a Motion for Preliminary Injunction/Temporary Restraining Order which I intend to file. I believe the probate court has jurisdiction over this Motion, but if you tell me that jurisdiction is not proper in probate court then I will file an action in circuit court.

To be clear, I know that Kim and Devon have nothing to do with this whatsoever and have done nothing wrong. We may be able to work through this via consent order or after a zoom call. I would think we can agree that he should not be spending on anything beyond basic living expenses and reasonable attorney's fees and costs defending the action.

I understand this is a very frustrating case and I am sorry for that.

Thank you!

Tyler