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January 3, 2014

RE: Ex Parte: Douglas N. Truslow v. Tony R. Megna. In re: James Anasti v. Lance Wilson, et al.
No. 2007-CP-40-0576
Appellate Tracking Number: 2013-001461

Pee Dee Health Care v. Estate of Hugh Thompson
No. 2010-CP-16-0332
Appellate Tracking Numbers: 2011-185767, 2011 – 197671, and 2011-203391

Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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JAN 06 2014

SC Court of Appeals

Dear Ms. Kitchings:

In response to Ms. Ballard's letter of December 31, 2013, I concur with her.

The two, consolidated appeals in which Ms. Ballard and I are involved relate to sanctions being issued against Tony Megna by the circuit court on February 11, 2013 (in two different cases) and subsequent denial of Mr. Megna's motions to reconsider. Mr. Megna is the appellant in these appeals. Initial briefs have been filed. In both of these appeals, Mr. Megna asserts that he acted properly. He expresses no remorse. He makes no apology. He adamantly denies any error or mistake.

However, in response to a pending motion to impose sanctions against Mr. Megna in a separate and distinct, but related appeal he filed and lost (referenced by Ms. Ballard – in which neither of us is involved – Mr. James and Mr. Josey are the attorneys), Mr. Megna's appellate counsel stated on September 13, 2013:

(Mr. Megna) reaffirms his remorse, and reiterates his sincere and earnest apologies to this Court, Judge Baxley, and to all parties for his mistakes

His counsel then further stated:

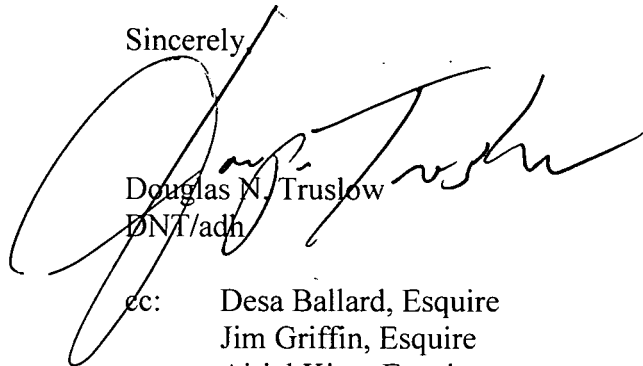
Mr. Megna accepts full and complete responsibility for his conduct in these matters

In one appeal (that Mr. Megna lost), in an attempt to avoid the imposition of sanctions, Mr. Megna's counsel professes Mr. Megna's remorse. In the two other, pending appeals where sanctions have already been issued, he does the exact opposite. For timeline purposes, Mr. Megna's contradictory positions bracket the appeals. This indicates a lack of merit or genuine remorse in all instances. Ms. Ballard and I only learned of Mr. Megna's inconsistent positions by way of happenstance; it was not disclosed to us by Mr. Megna.

Finally, while Ms. Ballard did not reference it, we have learned of yet another separate and distinct appeal involving Mr. Megna. It too appears to shed light on the issues. See Appellate Case 2012 - Order 213052 dated September 1, 2013 Pee Dee, Megna et al. v. Jones, Nettles, Riddick, et al.

If we are to do anything else over and above what Ms. Ballard requests, please advise.

Sincerely,



Douglas N. Truslow
DNT/adh

cc: Desa Ballard, Esquire
Jim Griffin, Esquire
Aerial King, Esquire

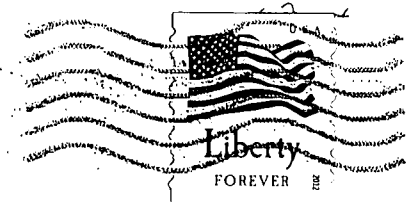
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