

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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Oct 20 2026

APPEAL FROM CHARLESTON COUNTY
Court Of Common Pleas
Mikell R. Scarborough, Master in Equity

SC Court of Appeals

Case No. 2025CP1006053

John J. Britton, MD, David E. Dukes, George William Owen, Claudius E. Watts, IV, Whitney Powers, Halsey M. Cook, Jr., Katherine Ann Close, Benjamin T. Zeigler, James C. Crawford, III, Carlos Evans, and Richard LeNoble Wilson, all in their capacity as Trustees of The Belle W. Baruch Foundation Trust, Respondents,

v.

The State of South Carolina; Appellant.

NOTICE OF APPEAL

The State of South Carolina appeals the attached Order of the Honorable Mikell R. Scarborough dated August 19, 2026, and to the extent necessary, the State appeals the attached Order of Judge Scarborough of October 7, 2026¹. The State received written notice of those Orders on those respective dates. The October 7 Order was issued in response to the State's Motion to Alter or Amend that was served and filed on September 2, 2026.

s/ J. EMORY SMITH, JR.
S.C. Bar No. 5262
General Counsel

[Signature block and copy list continues next page]

¹ The October 7 Order references Revised Trial Exhibit 20A as attached, but that exhibit was not attached to the Order. That exhibit was filed on September 30. The exhibit is not attached to this Notice because it was not attached to the Order.

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October 20, 2026

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