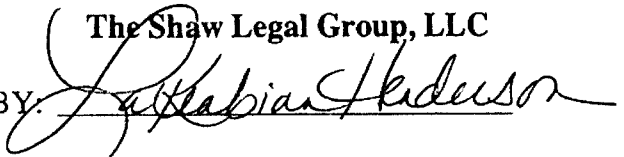


Greenville, South Carolina

March 31, 2011.

The Shaw Legal Group, LLC

BY:



La'Keabian Henderson

Attorney for Plaintiff

Post Office Box 25908

Greenville, South Carolina 29616

Phone: (864) 862-2800

Fax: (864) 862-4100

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SHAW LEGAL GROUP, LLC
ATTORNEY FOR PLAINTIFF
POST OFFICE BOX 25908
GREENVILLE, SC 29616

STATE OF SOUTH CAROLINA)
)
 COUNTY OF LANCASTER)
)
 Janice Gregory, Grady L. Martin Jr.,)
 Kevin Martin, Teresa B. Martin,)
 and William D. Martin,)
)
)
 Plaintiffs,)
 vs.)
)
 The Estate of Janice L. Broughton)
 and Jill B. Gainey as Personal)
 Representative of the Estate of)
 Janice L. Broughton,)
)
 Defendants,)
)
 _____)

IN THE PROBATE COURT
 SIXTH JUDICIAL CIRCUIT

COMPLAINT

10-ES-29-00435

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 CLERK OF COURT

Plaintiffs complaining of Defendants would respectfully show unto this Court:

FOR A FIRST CAUSE OF ACTION
(Jurisdiction, Venue, and General Allegations)

1. Plaintiff Janice Gregory (Gregory) is a citizen and resident of the County of Greenwood, State of South Carolina. Plaintiff Grady L. Martin (Grady) is a citizen and resident of the County of Greenwood, State of South Carolina. Plaintiff Kevin T. Martin (Kevin) is a citizen and resident of the City of Asheville, State of North Carolina. Plaintiff Teresa B. Martin (Teresa) is a citizen and resident of the County of Greenville, State of South Carolina. Plaintiff William D. Martin (William) is a citizen and resident of the County of Spartanburg, State of South Carolina. All Plaintiffs are siblings and they are the natural children and heirs at law of the deceased, Janice L. Broughton.

2. That upon information and belief, Defendant Jill Broughton Gainey (Gainey) is a citizen and resident of the County of Lancaster, State of South Carolina.

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SC Court of Appeals

took care of her
4 years

Howard Broughton

3. That on or about December 6, 2007, Janice L. Broughton allegedly executed a document that is purported to be her Last Will and Testament, a copy of the same is attached hereto and incorporated by reference as Appendix "A".

4. Janice L. Broughton died on October 28, 2010, and at the time of her death, the decedent was domiciled in Lancaster County, State of South Carolina.

FOR A SECOND CAUSE OF ACTION
(Mentally Incompetent)

5. That the allegations of the First Cause of Action are incorporated herein by reference.

6. Upon information and belief, during the year prior to her death, Janice L. Broughton's mental state of health was poor and rapidly declining.

7. Upon information and belief, at the time the afore-mentioned Last Will and Testament was allegedly signed, Janice L. Broughton's mental and physical states had declined to the extent that she was not capable of executing any Last Will and Testament.

8. In light of the afore-mentioned facts and circumstances, and in light of her declining physical and rapidly declining mental state, she was mentally incompetent at the time the afore-mentioned Last Will and Testament was allegedly signed and any document, including the afore-mentioned Last Will and Testament as allegedly signed by the decedent, Janice L. Broughton, should be declared null and void, and the estate of Janice L. Broughton should pass through intestate succession.

FOR A THIRD CAUSE OF ACTION
(Undue Influence)

9. That the allegations of the First and Second Causes of Action are incorporated herein by reference.

10. Plaintiffs believe that during the years prior to her death, Janice L. Broughton relied upon the advice and judgment of Defendant Gainey in the management of her business affairs as a result of her advanced age, declining mental and physical health. Further, Plaintiffs believe that Janice L. Broughton relied on Defendant Gainey's judgment to the extent that the decedent was not able to rationalize and make her own independent decisions.

11. Upon information and belief, during the time Janice L. Broughton allegedly signed and executed the afore-mentioned Last Will and Testament, she was incapable of understanding the significance of her acts and did not understand what she was doing and, as a result, she was unduly influenced by Defendant Gainey because of: the inability to rationalize and make her own independent decision; the detrimental effects of advanced age; declining mental and physical health, and the ill-placed trust and confidence of Defendant Gainey. Upon information and belief, Defendant Gainey breached her fiduciary duties to Janice L. Broughton to pursue personal financial gains.

FOR A FOURTH CAUSE OF ACTION
(Temporary and Permanent Injunction)

12. That the allegations of the First, Second, and Third Causes of Action are incorporated herein by reference.

13. Upon information and belief, Plaintiffs verily believe that Janice L. Broughton, at the time of her death and prior thereto, had an estate in excess of \$350,000.00 in personal property, real property, and mixed. That no property, whether personal, real, or mixed, the same being located and/or titled in her name and accounts, or any other persons name and/or account should be disposed, nor deeded out of the decedent's estate.

14. Plaintiffs, verily believe that the Court should require a proper accounting of all assets of Janice L. Broughton and the Plaintiffs hereby request the same.

15. Plaintiffs verily believe that the Court should restrain and enjoin all parties from disposing of any assets whatsoever that are deemed to be the assets of the decedent Janice L. Broughton until judicial resolution of this matter.

16. Plaintiffs verily believe that included along with the assets of Janice L. Broughton is real property located in the County of Lancaster and described as:

All that certain piece, parcel or tract of land together with the improvements located thereon, lying and being situate approximately seven (7) miles north of the City of Lancaster, Lancaster County, South Carolina, Waxhaw Township, being shown, described and designated as Lot 5, containing 1.05 acres, more or less, on plat of North Corner Acres made by J.B. Fisher, SCRLS, dated June 1, 1993, revised August 13, 1993, revised November 16, 1993, revised May 25, 1994 and recorded as Plat No. 15098 in the Register of Deeds Office for Lancaster County, South Carolina, which plat is by reference made a part hereof.

This being the same property conveyed to Janice L. Broughton by Deed of Michael L and L. Jane Schaper recorded Dec. 31, 2009 in Deed Book 546 Page 340 in the Register of Deeds Office for Lancaster County, South Carolina.

ALSO included in this conveyance is one (1) 1994 Clayton mobile home, Serial No.

HHHC006842NCA&B

FOR A FIFTH CAUSE OF ACTION
(Attorney Fees, Suit Money, Discovery)

17. That the allegations of the First, Second, Third, and Fourth Causes of Action are incorporated herein by reference.

18. Plaintiffs are informed and believe that they are entitled to an Order of this Court granting the right to pursue discovery pursuant to the South Carolina Rules of Civil Procedure and the South Carolina Rules of Probate Court.

19. Plaintiffs will show they do not have sufficient funds with which to compensate their attorney for services rendered in connection with this matter and therefore, are informed and believe that the Defendants should be required to pay the attorney fees of the Plaintiffs and costs of this action.

WHEREFORE, the Plaintiffs pray for an Order of this Court:

1. Declaring the Last Will and Testament of the decedent, Janice L. Broughton, as null and void.
2. Declaring that the decedent, Janice L. Broughton, at the signing and execution of the Last Will and Testament was mentally incompetent.
3. Declaring that the decedent, Janice L. Broughton, was unduly influenced in the writing and execution of the Last Will and Testament allegedly signed by decedent Janice L. Broughton.
4. Declaring that the decedent, Janice L. Broughton, died intestate and that the Plaintiffs of this action are her next of kin and heirs at law.
5. That a temporary and permanent injunction be issued regarding the Estate of decedent, Janice L. Broughton which restrains the disposing of any assets whatsoever that are deemed to be the assets of the decedent Janice L. Broughton until judicial resolution of this matter.
6. Awarding the Plaintiffs attorney fees and costs.
7. Granting the Plaintiffs the right to pursue discovery pursuant to the South Carolina Rules of Civil Procedure and the South Carolina Rules of Probate Court.
8. Granting unto Plaintiffs such other and further relief as this Court deems just and proper.

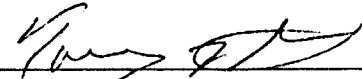
RESPECTFULLY SUBMITTED:

Tommy L. Stanford Law Firm

Greenwood, South Carolina

March 20, 2011.

BY:



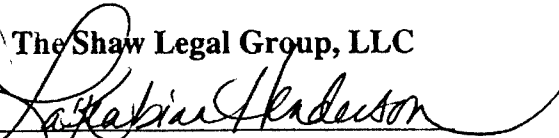
Tommy L. Stanford
Attorney for Plaintiff
Post Office Box 3321
Greenwood, South Carolina 29648
Phone: (864) 229-3987
Fax: (864) 229-6304

Greenville, South Carolina

March 31, 2011.

The Shaw Legal Group, LLC

BY:



La'Keabian Henderson
Attorney for Plaintiff
Post Office Box 25908
Greenville, South Carolina 29616
Phone: (864) 862-2800
Fax: (864) 862-4100

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

IN THE PROBATE COURT
SIXTH JUDICIAL CIRCUIT

Janice Gregory, Grady L. Martin Jr.,
Kevin Martin, Teresa B. Martin,
and William D. Martin)
)
)

Plaintiffs,)

VS.)


The Estate of Janice L. Broughton)
and Jill B. Gainey as Personal)
Representative of the Estate of)
Janice L. Broughton,)
)

Defendants,)
)

VERIFICATION

10-ES-29-00435

Personally appeared before me, Janice Gregory, who on oath states: That she is the Plaintiff in the foregoing action; That she has read the allegations in the foregoing Summons and Complaint and the same are true of her own knowledge, except those stated therein to be based upon information and belief, and as to those she believes them to be true.


JANICE GREGORY

SWORN TO before me this 18th
day of March, 2011.


NOTARY PUBLIC FOR SOUTH CAROLINA (L.S.)

My Commission Expires: 3-25-13

SANDRA S. ESTERSON
LANCASTER COUNTY
NOTARY PUBLIC

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STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

IN THE PROBATE COURT
SIXTH JUDICIAL CIRCUIT

Janice Gregory, Grady L. Martin Jr.,
Kevin Martin, Teresa B. Martin,
and William D. Martin)
)
)

Plaintiffs,)

VS.)

The Estate of Janice L. Broughton)
and Jill B. Gainey as Personal)
Representative of the Estate of)
Janice L. Broughton,)
)

Defendants,)
)

VERIFICATION

10-ES-29-00435

Personally appeared before me, Teresa B. Martin, who on oath states: That she is the Plaintiff in the foregoing action; That she has read the allegations in the foregoing Summons and Complaint and the same are true of her own knowledge, except those stated therein to be based upon information and belief, and as to those she believes them to be true.


TERESA B. MARTIN

SWORN TO before me this 18th
day of March, 2011.



NOTARY PUBLIC FOR SOUTH CAROLINA (L.S.)

My Commission Expires: 3-25-13

SANORA S. ESTERLINE
LANCASTER COUNTY
NOTARY PUBLIC

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STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)
)
Janice Gregory, Grady L. Martin Jr.,)
Kevin Martin, Teresa B. Martin,)
and William D. Martin)

IN THE PROBATE COURT
SIXTH JUDICIAL CIRCUIT

Plaintiffs,)
VS.)

VERIFICATION
10-ES-29-00435

The Estate of Janice L. Broughton)
and Jill B. Gainey as Personal)
Representative of the Estate of)
Janice L. Broughton,)
Defendants,)

Personally appeared before me, Grady L. Martin, Jr., who on oath states: That he is the Plaintiff in the foregoing action; That he has read the allegations in the foregoing Summons and Complaint and the same are true of his own knowledge, except those stated therein to be based upon information and belief, and as to those he believes them to be true.

Grady L. Martin Jr.
GRADY L. MARTIN, JR.

SWORN TO before me this 21
day of March, 2011.

[Signature] (L.S.)
NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: July 22, 2019

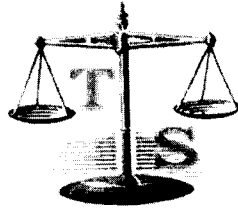
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SANDRA L. ESTERLINE
CLERK OF COURT
LANCASTER COUNTY
SOUTH CAROLINA

TOMMY L. STANFORD LAW FIRM, PC

Attorney At Law

Phone: (864) 229-3987

307 Main Street
Greenwood, SC 29646



Fax: (864) 229-6304

Mailing Address:
Post Office Box 3321
Greenwood, SC 29648

May 5, 2014

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

RE: Janice Gregory, et. al. vs. The Estate of Janice L. Broughton, et. al.
Appellate Case No. 2014-000936

Dear Madam Clerk:

Please find enclosed a clocked copy of the original Summons and Complaint in reference to the above captioned matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tommy L. Stanford'. The signature is fluid and cursive.

Tommy L. Stanford
Attorney for the Appellates

Enclosure

CC: La'Keabian Henderson, Esquire
Francis L. Bell, Jr., Esquire
William C. Tindal, Esquire

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MAY 12 2014

SC Court of Appeals