

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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JUL 17 2014

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APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

**SC Court of Appeals**

The Honorable Doyet A. Early, III Circuit Court Judge

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Appellate Case No. 2014-000794

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MICHAEL DEON BROWN, JAMES CURTIS, AND JANE DOE AND JOHN DOE  
Numbers I, II, III and IV, by their proposed Guardian *ad Litem*, and Adele Pope,  
as Creditor/Proponent of Will of James Brown dated June 15, 1999 and on behalf of  
Others under S.C. Trust Code § 62-7-405.....Appellants,  
v.

James B., Terry Brown, Tommie Rae Hynie and David Sojourner, Jr..... Respondents.

IN RE:  
THE ESTATE OF JAMES BROWN A/K/A JAMES JOSEPH BROWN

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**LSA'S RESPONSE TO APPELLANT'S MOTION AND  
MEMORANDUM SUPPORTING TERMINATION OF PRO HAC VICE  
COUNSEL AND SPONSOR**

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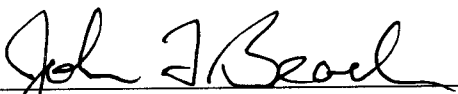
David C. Sojourner Jr., as Limited Special Trustee and Limited Special  
Administrator of the James Brown Trust and Estate (the "LSA"), hereby opposes Adele  
Pope's ("Pope") July 11, 2014 Motion and Memorandum Supporting Termination of Pro  
Hac Vice Counsel and Sponsor.

On March 31, 2014, Pope appealed several orders ("Orders on Appeal") issued by  
the Honorable Doyet A. Early in *In Re: The Estate of James Brown, a/k/a James Joseph  
Brown*, Civil Action No. 2008-CP-02-1647 (the "Underlying Action").

On June 16, 2014, this Court dismissed Pope's Appeal, holding (1) while Pope signed her Notice of Appeal as "Attorney for Appellants," she did not represent some or all of the named Appellants and certain "Appellants" were not parties to the Underlying Action; (2) on June 13, 2013 the circuit court removed Pope from her representative capacity in all James Brown Estate and Trust Litigation, including the Underlying Action; and (3) Pope was not "aggrieved" by any order, judgment, sentence, or decision on appeal pursuant to Rule 201, SCACR, and *Nance v. Nationwide Ins. Co.*, 273 S.C. 617, 619, 258 S.E.2d 105, 106 (1979).

Because the Court has dismissed Pope's appeal, Pope's Motion related to Mr. Bell's and Mr. Bodman's representation in this same appeal is moot. Although on June 25, 2014 Pope filed a 500-plus page Petition for Rehearing, Pope points out no material fact or principle of law that the Court has either overlooked or disregarded. As a result, the Court should deny Pope's Petition for Rehearing and dismiss Pope's current motion as moot.

Respectfully submitted,

  
John F. Beach, S.C. Bar No. 595  
Lyndey Zwing, S.C. Bar No. 100804  
1501 Main Street, 5th Floor  
Columbia, South Carolina 29201  
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*Attorneys for David C. Sojourner, Jr., as Limited  
Special Representative of the Estate of James Brown  
and Limited Special Trustee of the James Brown  
August 1, 2000 Irrevocable Trust Agreement*

July 17, 2014

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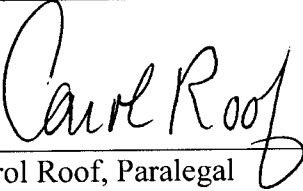
**PROOF OF SERVICE**

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I, the undersigned paralegal of the law offices of Adams and Reese, LLP., attorney for David C. Sojourner Jr. (the "LSA"), as Limited Special Administrator of the Estate of James Brown a/k/a James Joseph Brown (the "Estate") and as Limited Special Trustee of the James Brown August 1, 2000 Irrevocable Trust Agreement (the "Trust"), do hereby certify that I have served all counsel in this action with a copy of the Response to Appellant's Motion and Memorandum Supporting Termination of *Pro Hac Vice* Counsel and Sponsor, via electronic and first-class mail service this 17th day of July, 2014:

Counsel Served:

Robert N. Rosen, Esq. Rosen Law Firm, LLC 18 Broad Street, Suite 201 Charleston SC 29401	Albert Peter Shahid, Jr., Esq. Shahid Law Office, LLC 89 Broad Street Charleston SC 29401
Louis Levenson, Esq. Levenson & Associates 125 Broad Street, SW Atlanta GA 30303	David B. Bell, Esq. David Bell Law Firm 619 Greene Street Augusta GA 30903
Matthew Day Bodman, Esq. Matt Bodman, PA 1500 Calhoun Street Columbia SC 29201	William Joseph Barr, Esq. Barr Law LLC 108 N. Academy Street Kingstree SC 29556-3422
Adele J. Pope 1228 Walnut Street Newberry, South Carolina 29108	S. Alan Medlin 1713 Phelps Street Columbia SC 29205
James Mixon Griffin, Esq. Lewis Babcock & Griffin, LLP PO Box 11208 Columbia SC 29211	

  
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Carol Roof, Paralegal

July 17, 2014

John F. Beach

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john.beach@arlaw.com

**VIA HAND-DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk of Court, South Carolina Court of Appeals  
1205 Pendleton Street, Brown Building  
Columbia, South Carolina 29201

RE: *Michael Deon Brown, James Curtis, and Jane Doe and John Doe Numbers I, II, III, IV, by their proposed Guardian ad Litem and Adele Pope, as Creditor/Proponent of Will of James Brown dated June 15, 1999 and on behalf of others under S.C. Trust Code §62-7-405 v. James B., Terry Brown, Tommie Rae Hynie and David Sojourner, Jr. - In Re: the Estate of James Brown a/k/a James Joseph Brown*

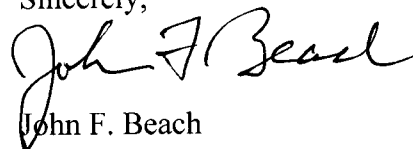
**Appellate Case No. 2014-000794, A&R File No.: 022853-000001**

Dear Ms. Kitchings:

On behalf of David C. Sojourner, Jr., in his capacity as Limited Special Trustee and Limited Special Administrator of the James Brown Trust and Estate, I am enclosing the original and six (6) copies of the Response to Appellant's Motion and Memorandum Supporting Termination of *Pro Hac Vice* Counsel and Sponsor. Please file the original and return the clocked copy via the bearer of these documents.

By copy of this letter, we are serving this document upon all parties in this action, and enclose our Proof of Service to that effect.

Sincerely,

  
John F. Beach

JFB/cr

Attachments

cc: David C. Sojourner, Jr., Esq.  
All parties of record

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