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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas
Eugene C. Griffith, Circuit Court Judge

Case No. 2012-CP-36-00688

Applicant for Intervention Russell L. Bauknight, as Personal Representative of the Estate of James Brown and Trustee of the James Brown 2000 Irrevocable Trust.....Appellant.

In re Susan D. Summer,.....Plaintiff,
of whom Susan D. Summer is.....Respondent,

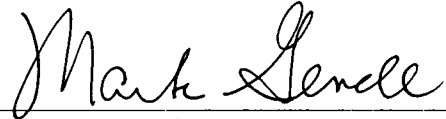
v.

Alan Wilson, In His Capacity as Attorney General for South Carolina.....Defendant.

NOTICE OF APPEAL

Russell L. Bauknight, as Personal Representative of the Estate of James Brown and Trustee of the James Brown 2000 Irrevocable Trust ("Appellant") appeals the September 19, 2014 Order of the Honorable Eugene C. Griffith denying Appellant's Motion to Intervene. The Order deprives Appellant of the right to contest the production of potentially privileged documents which are also at issue in other pending litigation, and requires Appellant's counsel to produce the disputed documents under the Freedom of Information Act. This Order constitutes a final determination of Appellant's rights under Rule 24, SCRPC. A copy of the Order is attached. Appellant received a written copy of the appealed order by U.S. Mail from the court on September 22, 2014.

September 29, 2014



Kenneth B. Wingate
Mark V. Gende
Joseph O. Thickens
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(803)256-2233
(Attorneys for Appellants)

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SC COURT OF APPEALS

Other Counsel of Record:

J. Emory Smith, Jr., Esquire
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1000 Assembly Street
P.O. Box 11549
Columbia, SC 29211-1549
(Attorney for Defendant)

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P.O. Box 8057
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AND

Thomas H. Pope, III
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1508 College Street
Newberry, SC 29108

(Attorneys for Plaintiff/Respondent)

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In re Susan D. Summer,.....Plaintiff,
of whom Susan D. Summer is.....Respondent,


v.

Alan Wilson, In His Capacity as Attorney General for South Carolina.....Defendant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Susan D. Summer by depositing a copy of it in the United States Mail, postage prepaid, on September 29, 2014, addressed to her attorneys of record, Jay Bender, Esquire, Post Office Box 8057, Columbia, SC 29202 and Thomas H. Pope, Esquire, P.O. Box 190, Newberry, SC 29108 **and** The Honorable Alan Wilson by depositing a copy of it in the United States Mail, postage prepaid, on September 29, 2014, addressed to his attorney of record, J. Emory Smith, Jr., Esquire, P. O. Box 11549, Columbia, SC 29211-1549.

September 29, 2014



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(803)256-2233
(Attorneys for Appellants)



SWEENEY WINGATE & BARROW P.A.

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SEP 29 2014

SC Court of Appeals

September 29, 2014

Reply to: Main Office

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(803) 256-2233 x7121
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VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RE: Susan D. Summer V. Alan Wilson, In His Capacity as Attorney General of SC
Civil Action No.: 2012-CP-36-00688
Our File: 4077-7389.001

Dear Ms. Kitchings:

Enclosed for filing please find the original and two copies of Appellant's Notice of Appeal, the Proof of Service on Respondent and a filing fee check in the amount of \$100.00. This firm appeared in the trial court on behalf of Appellant Russell L. Bauknight, as Personal Representative of the Estate of James Brown and Trustee of the James Brown 2000 Irrevocable Trust.

I would appreciate your filing the original and returning the clocked copies to me via our courier.

Should you have any questions or concerns, please do not hesitate to give me a call.

Yours truly,

SWEENEY, WINGATE & BARROW, P.A.

Mark V. Gende

MVG/ljm
Enclosures

September 29, 2014
Page 2 of 2

cc: Jay Bender, Esquire, Baker, Ravenel & Bender, LLP
Thomas H. Pope III, Pope & Hudgens, P.A.
J. Emory Smith, Jr., Esquire, Office of the Attorney General