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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA

In the Supreme Court

APPEAL FROM PICKENS COUNTY

Court of Common Pleas

Doyet A. Early, Circuit Court Judge

Case No. 2012-CP-39-01554

Appellate Case No. 2014 - 001110

Julie Freeman.....Appellant – Respondent

v.

J.L.H. Investments, LP, a/k/a Hendrick Honda of Easley.....Respondent – Appellant

**APPELLANT-RESPONDENT JULIE FREEMAN’S RETURN IN OPPOSITION TO
DICK DYER & ASSOCIATES, INC.’S MOTION FOR LEAVE TO FILE BRIEF AS
AMICUS CURIAE**

Plaintiff/Appellant-Respondent Julie Freeman Hair hereby submits this Return in Opposition to Dick Dyer & Associates, Inc.’s Motion for Leave to File Brief as Amicus Curiae. The Motion for Leave to file Brief as Amicus Curiae should be denied for the following reasons.

1. The Motion for Leave to file Brief as Amicus Curiae should be denied because the Car Dealer Defendants in these cases have represented that they have a joint defense agreement.¹ Additionally, upon information and belief, the Car Dealer Defendants counsels regularly have

¹To the extent that Dick Dyer & Associates, Inc. denies being in a joint defense agreement, then Respondent-Appellant and Dick Dyer & Associates, Inc. have failed to comply with discovery requesting all correspondence between Defendants.

conference calls to discuss the coordinated defense of these cases. In that regard, Plaintiff/Appellant-Respondent Julie Freeman Hair opposes the request by Dick Dyer & Associates to file an Amicus Curiae (“friend of the court”) brief. Dick Dyer & Associates is not a friend of the court but instead is jointly defending this case with J.L.H. Investments, LP, a/k/a Hendrick Honda of Easley. The request at issue is simply an attempt to by the Defendant/Respondent-Appellant and its joint defendants to file additional briefs beyond those permitted by the Appellate Court Rules. Respectfully, the briefing to date is more than sufficient and the Court should exercise its discretion and deny the Motion for Leave to File Brief as Amicus Curiae.

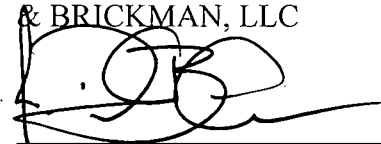
2. As pointed out by Dick Dyer & Associates, Inc. in their motion there are over 300 similarly situated car dealers. Dick Dyer Motion, p. 3. If Dick Dyer is permitted to submit briefing, it will have the waterfall effect of encouraging 300 other dealers with the same grounds to file Amicus Curiae briefs. Respectfully, additional briefing by Dick Dyer and potentially 300 other similarly situated dealers is contrary to judicial economy and will lead to a waste of judicial resources. As such, the Court should exercise its discretion and deny the Motion for Leave to File Brief as Amicus Curiae.

3. If Dick Dyer & Associates, Inc.’s request is granted, Michael Blease, the Plaintiff asserting a claim against Dick Dyer, must be permitted to also file briefing in addition to the response that the Plaintiff/Appellant-Respondent is permitted to submit. Again, all of this additional briefing is unnecessary as the Parties have submitted sufficient briefing to allow the Court to decide the issues in this case.

In conclusion, Plaintiff/Appellant-Respondent Julie Freeman Hair respectfully requests that the Court exercise its discretion and deny Dick Dyer's request to file an Amicus Curiae brief in this matter.

Respectfully submitted,

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January 9, 2015

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PROOF OF SERVICE

The undersigned of the law offices of Richardson, Patrick, Westbrook & Brickman, LLC attorneys for the Respondent, do hereby certify that service of

APPELLANT-RESPONDENT JULIE FREEMAN’S RETURN IN OPPOSITION TO DICK DYER & ASSOCIATES, INC.’S MOTION FOR LEAVE TO FILE BRIEF AS AMICUS CURIAE

was made on all counsel of record, specified below, by mailing a copy of the same by United States Mail, postage prepaid, to the following addresses:

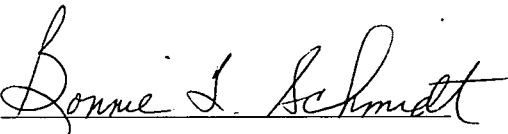
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