

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

**RECEIVED**

FEB 12 2015

**S.C. SUPREME COURT**

Julie Freeman.....Appellant – Respondent

v.

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

**APPELLANT-RESPONDENT JULIE FREEMAN’S MEMORANDUM IN OPPOSITION  
TO THE ADAMS BUSINESSES’ MOTION FOR LEAVE TO FILE *AMICUS CURIAE*  
BRIEF**

Plaintiff/Appellant-Respondent Julie Freeman Hair hereby submits this memorandum in opposition to the Adams Businesses’ motion for leave to file *amicus curiae* brief. The Motion for Leave to file Brief as Amicus Curiae should be denied for the following reasons.

1. The motion for leave to file an *amicus curiae* brief should be denied because the Car Dealer Defendants in these cases have represented that they have a joint defense agreement. Additionally, upon information and belief, the Car Dealer Defendants’ counsel regularly has conference calls to discuss the coordinated defense of these cases and the dealers have meetings to coordinate their defenses and share the costs of this litigation. As such, Plaintiff/Appellant-

Respondent Julie Freeman Hair opposes the request by the Adams Businesses to file an *amicus curiae* (“friend of the court”) brief. The Adams businesses are not true friends of the court but instead are 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 by the Defendant/Respondent-Appellant and its joint defendants to file additional briefs beyond those permitted by the South Carolina Appellate Court Rules. Respectfully, the briefing to date is more than sufficient and the Court should exercise its discretion and deny the Adams Businesses’ motion.

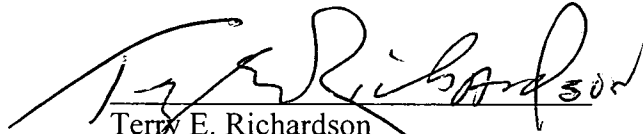
2. This Court has previously denied Dick Dyer & Associates, Inc.’s motion for leave to file an *amicus curiae* brief in this case. All of the reasons supporting the denial of that motion apply equally here. Note that there are other dealers who may also file similar motions. If the Adams Businesses are permitted to submit briefing, it will have the waterfall effect of encouraging these other dealers to similarly seek leave to file *amicus curiae* briefs. Respectfully, additional briefing by the Adams Businesses and potentially 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 Adams Businesses’ motion.

3. If the Adams Businesses’ request is granted, our adversarial system of justice requires that the corresponding plaintiffs asserting a claim against each of them also be permitted to file briefing in addition to the response that the Plaintiff/Appellant-Respondent is permitted to submit. Any other ruling would effectively sanction *ex parte* communications with this Court. 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 the Adams Businesses' motion for leave to file an *amicus curiae* brief in this matter.

Respectfully submitted,

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February 9, 2015

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RESPONDENT**

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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 MEMORANDUM IN OPPOSITION TO MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF OF THE ADAMS BUSINESSES**

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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