

EXHIBIT B

Camden Shealy

From: Kelly, R. Keith Law Clerk (Adrienne Barry) <kkellylc@sccourts.org>
Sent: Monday, February 16, 2015 12:14 PM
To: Camden Shealy
Cc: 'Thomas A. Belenchia'
Subject: RE: Spartanburg Buddhist Center v. Luke Dong and Ron Ork, 2014CP4201622

I will have the order turned into the clerk's office by Wednesday.

Thanks,

Adrienne

From: Camden Shealy <tcs@abizlaw.com>
Sent: Monday, February 16, 2015 9:00 AM
To: Kelly, R. Keith Law Clerk (Adrienne Barry)
Cc: 'Thomas A. Belenchia'
Subject: Spartanburg Buddhist Center v. Luke Dong and Ron Ork, 2014CP4201622

Ms. Barry,

The Defendants in the above-referenced case filed a Motion to Reconsider and a Motion to Stay Execution of the Order pending appeal. It is my understanding that you were going to prepare an order denying those motions. Could you please notify me of the status of that order as soon as you are able. The Defendants are going to appeal the Order and would preferably have a copy to attach to the Notice of Appeal.

Thank you for your time,

T. Camden Shealy
A Business Law Firm LLC
PO Box 3421
Spartanburg, SC 29304
tcs@abizlaw.com<<mailto:tab@abizlaw.com>>
864-699-9801 (o)
864-699-9803 (f)

Take a Tour of Our Office<[CONFIDENTIAL & ATTORNEY-CLIENT PRIVILEGED: This message is intended only for the use of the addressee and the information within this transmission is PRIVILEGED, CONFIDENTIAL and intended ONLY for the use of the individual or entity above named. If the recipient or reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you receive this communication in](https://urldefense.proofpoint.com/v2/url?u=http-3A_abizlaw.com_office-2Dtour_&d=AwMFAg&c=YGvVmrQQ6VQOFx3Z93C9uQ&r=MBt8tB0aeQ0kmvignNrh1wUwacKD8BDe4XasZ5lr_Os&m=J8c7wzSDG-sD72zay_HWFsVV5m0qKoos5W6n1m_fTxU&s=8PWCIJM_eILIVdZX18fjnpj0hV-hoefy3w-kmQbBtsk&e=></p></div><div data-bbox=)

Camden Shealy

From: Larry Gregg <leg@abizlaw.com>
Sent: Friday, February 06, 2015 11:38 AM
To: 'Thomas Belenchia'; Camden Shealy
Subject: FW: Inquiry regarding the status of the Defendants' Motion to Reconsider

From: Kelly, R. Keith Law Clerk (Adrienne Barry) [<mailto:kkellylc@sccourts.org>]
Sent: Friday, February 06, 2015 11:42 AM
To: Larry Gregg
Cc: Shannon M. Phillips
Subject: RE: Inquiry regarding the status of the Defendants' Motion to Reconsider

Good morning,

Judge Kelly has denied the Motion to Reconsider. I will be preparing an order and filing it with the Clerk's office. I will let you know when this has taken place.

Thanks,

Adrienne

From: Larry Gregg [<mailto:leg@abizlaw.com>]
Sent: Thursday, February 05, 2015 1:03 PM
To: Kelly, R. Keith Law Clerk (Adrienne Barry)
Cc: Shannon M. Phillips
Subject: Inquiry regarding the status of the Defendants' Motion to Reconsider

Dear Adrienne:

On January 13, 2015 the Defendants filed a Motion to Reconsider for the Court's Order dated January 7, 2015. Because of the deadlines in the Order, I am writing to inquire on the status of the Court's ruling on this Motion. I want to be sure that we have not missed something. Thank you in advance for your assistance.

Respectfully,

Larry E. Gregg, Esq.
A Business Law Firm, LLC
PO Box 3421
Spartanburg, SC 29304
leg@abizlaw.com
864-699-9801 (o)
864-699-9803 (f)

[Take a Tour of Our Office](#)

CONFIDENTIAL & ATTORNEY-CLIENT PRIVILEGED: This message is intended only for the use of the addressee and the information within this transmission is **PRIVILEGED, CONFIDENTIAL** and intended **ONLY** for the use of the individual or entity above named. If the recipient or reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you receive this communication in error, please notify A Business Law Firm, LLC, Thomas A. Belenchia, Attorney immediately by telephone as above listed and then destroy all copies of the transmission herein. Thank You.

IRS CIRCULAR 230 NOTICE: To ensure compliance with requirements imposed by the US Internal Revenue Service ("IRS"), we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1)

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

IN THE COURT OF COMMON PLEAS

Spartanburg Buddhist Center of South
Carolina, Inc.,

Plaintiff,

Vs.

Ron Ork and Luke Dong,

Defendants.

**NOTICES OF MOTIONS AND MOTION TO
RECONSIDER, ALTER, OR AMEND THE
CONTEMPT ORDER AND MOTION FOR STAY
OF EXECUTION OF THE CONTEMPT ORDER**

Case No.: 2014-CP-42-1622

Ron Ork and Luke Dong

Third Party Plaintiffs,

Vs.

Chivin Sun, Robert Pek, Sakhan Sok,
Sambo Khieav, Sophay Pres, and
Tommy Ong,

Third Party Defendants.

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2015 JAN 13 PM 4:22
M. HOPE BLACKLEY

TO: THE HONORABLE R. KEITH KELLY, PRESIDING JUDGE, and TALLEY LAW FIRM
ATTORNEYS FOR PLAINTIFF,

I. NOTICE AND MOTION TO STAY EXECUTION OF THE CONTEMPT ORDER

YOU WILL PLEASE TAKE NOTICE that pursuant to Rule 62 of the South Carolina Rules of Civil Procedure ("SCRCP"), the Defendant, Ron Ork, through his attorneys, will move before the Presiding Judge of the Common Pleas Court in Spartanburg County, Spartanburg, SC, at a date and time to be specified by the court, for an order staying the execution of the Contempt Order dated January 7, 2015 for the time it takes the court to make a ruling on Ron Ork's motion to reconsider, alter, or amend, and the time it takes an appellate court with jurisdiction to rule on any appeal that arises out of an adverse ruling in the disposition of the motion to reconsider, alter, or amend.

SCRCP Rule 62(b) states in part that, "In its discretion and on such conditions for the security of the adverse party as are proper, the court may stay the execution of or any

proceedings to enforce a judgment pending the disposition of a motion for a new trial or to alter or amend a judgment made pursuant to Rule 59, or of a motion for relief from a judgment or order made pursuant to Rule 60...”

Ron Ork makes this motion because the Contempt Order requires him to pay \$3,500.00 of attorney’s fees to the Plaintiff within 45 days of the date of the Contempt Order and Mr. Ork is facing a five month prison sentence if he does not pay \$59,765.30 within ninety days of the date of the Contempt Order. However, Mr. Ork is a Buddhist monk with no income. Mr. Ork survives on the donations of others, owns no property, and lives in property owned by the Plaintiff. Mr. Ork does not have the ability to purge himself of contempt. Mr. Ork used the three checks at issue to pay the Plaintiff’s construction bills and did not personally retain any of the money he withdrew. Mr. Ork will have to serve five months in prison unless others step forward and donate to him the amounts set forth in the Contempt Order, which they are not obligated to do.

II. NOTICE AND MOTION TO RECONSIDER, ALTER, OR AMEND THE CONTEMPT ORDER

YOU WILL PLEASE TAKE NOTICE that pursuant to Rules 59 and 60 of the South Carolina Rules of Civil Procedure (“SCRCP”), the Defendant, Ron Ork, through his attorneys, will move before the Presiding Judge of the Common Pleas Court in Spartanburg County, Spartanburg, SC, at a date and time to be specified by the court, for an order that reconsiders, alters, or amends the Contempt Order dated January 7, 2015, the Order Granting Temporary Injunction dated April 21, 2014, and the Order Granting Temporary Injunction dated May 1, 2014 to correct all errors of law and fact in those orders, which are more specifically set forth below:

1) The court erred by issuing a temporary injunction on April 21, 2014, (a) in violation of SCRCP Rule 65, (b) without providing notice to the Defendants prior to its issuance, (c) denying the Defendants an opportunity to be heard, (d) issuing the injunction without a bond, (e) ordering the parties to maintain a status quo that did not exist when the court signed the temporary injunction, and (f) failing to be “specific in terms.” (See *International Longshoremen Assn Local 1291 v. Philadelphia Marine Trade Association International Longshoremen Assn*

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2015/JAN/3 PM 1:28
A. HOPKINS BLACKBERRY

Local 1291 v. Philadelphia Marine Trade Association, 389 U.S. 64, 88 S.Ct. 201, 19 L.Ed.2d 236 (1967); *AJG Holdings, LLC v. Dunn*, 382 S.C. 43, 50, 674 S.E.2d 505, 508 (Ct. App. 2008))

2) The court erred by issuing a second temporary injunction filed on May 16, 2014 (a) in violation of SCRCP Rule 65, (b) without a bond, (c) that ordered injunctive relief not requested by the parties to the lawsuit, and (d) that failed to be “specific in terms.” (See *International Longshoremen Assn Local 1291 v. Philadelphia Marine Trade Association International Longshoremen Assn Local 1291 v. Philadelphia Marine Trade Association*, 389 U.S. 64, 88 S.Ct. 201, 19 L.Ed.2d 236 (1967); *AJG Holdings, LLC v. Dunn*, 382 S.C. 43, 50, 674 S.E.2d 505, 508 (Ct. App. 2008))

3) The court erred by holding Ron Ork in contempt of the first temporary injunction because Ron Ork complied with the first temporary injunction when he “deposit[ed] any funds withdrawn on or after April 18, 2014 back into Plaintiff’s bank account within twenty-four (24) hours of [the] Order,” which is all the temporary injunction required him to do. (*International Longshoremen Assn Local 1291 v. Philadelphia Marine Trade Association International Longshoremen Assn Local 1291 v. Philadelphia Marine Trade Association*, 389 U.S. 64, 88 S.Ct. 201, 19 L.Ed.2d 236 (1967); *Welchel v. Boyter*, 260 S.C. 418, 196 S.E.2d 496 (S.C., 1973); *County of Greenville v. Mann*, 556 S.E.2d 383, 347 S.C. 427 (S.C., 2001); *Phillips v. Phillips*, 341 S.E.2d 132, 288 S.C. 185 (S.C., 1986); *Western Carolina Regional Sewer Authority v. Bell*, 320 S.E.2d 487, 282 S.C. 646 (S.C. App., 1984))

4) The court erred by holding Ron Ork in contempt of the second temporary injunction because Ron Ork issued the last check in question on May 9, 2014, but the court did not file the second temporary injunction requiring the parties to agree on payment obligations until May 16, 2014, days after Ron Ork issued the last check. (See SCRCP Rule 58, *Serowski v. Serowski*, 381 S.C. 306, 315, 672 S.E.2d 589, 594 (Ct. App. 2009); *Ashenfelder v. City of Georgetown*, 389 S.C. 568, 698 S.E.2d 856 (S.C. App., 2010))

5) The court erred by awarding the Plaintiff \$3,500.00 in attorney’s fees because (a) the Plaintiff did not request attorney’s fees, (b) the court issued the Rule to Show Cause and not the Plaintiff, (c) the Rule to Show Cause did not mention that the court or Plaintiff were requesting attorney’s fees, (d) the Plaintiff did not file an affidavit for attorney’s fees, (e) there is no evidence on the record by which the court could evaluate the factors the court should consider when deciding whether to award attorney’s fees or the amount of such fees, and (f) Ron Ork is

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2015 JAN 3 PM 1:30
HARPER BLAKEY

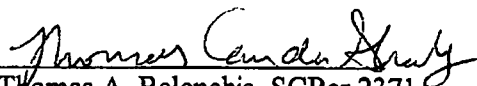
unable to pay \$3,500.00 of attorney's fees to the Plaintiff. (See *Williamson v. Middleton*, 649 S.E.2d 57, 374 S.C. 419 (S.C. App., 2007); *Buist v. Buist* (S.C., 2014))

The movant's counsel affirms that prior to filing the motions the movant's counsel has communicated, orally or in writing, with opposing counsel and has attempted in good faith to resolve the matters contained in the motions, consultation would serve no useful purpose, or could not be timely held.

The motions are based upon the applicable Rules of Court, applicable and South Carolina case law, the evidence on record, and any affidavits and/or memorandum which may be filed prior to the hearing. The movant further alleges that the movant is prompt in filing for relief, the existence of meritorious defenses, and the opposing party will not be adversely prejudiced.

Respectfully Submitted by:

A BUSINESS LAW FIRM, LLC


Thomas A. Belenchia, SCBar 2371
tab@abizlaw.com
T. Camden Shealy, SCBar 101447
tcs@abizlaw.com
Larry E. Gregg II, SCBar 101215
leg@abizlaw.com
Attorneys for Defendants
P. O. Box 3421
Spartanburg, SC 29304
Phone: (864) 699-9801
Fax: (864) 699-9803

January 13, 2015

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2015 JAN 13 PM 1:22
M. HOPE BLACKLEY

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)
)
Spartanburg Buddhist Center of)
South Carolina, Inc.,)
)
Plaintiff,)
)
Vs.)
)
Ron Ork and Luke Dong,)
)
Defendants.)

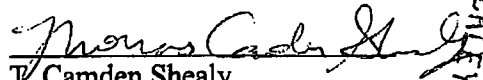
IN THE COURT OF COMMON PLEAS

CERTIFICATE OF SERVICE

Case No.: 2014-CP-42-1622

I, the undersigned for Ron Ork, do hereby certify that I have served all counsel and the lower court judge in this action with a copy of Ron Ork's NOTICES OF MOTIONS AND MOTION TO RECONSIDER, ALTER, OR AMEND THE CONTEMPT ORDER and MOTION FOR STAY OF EXECUTION OF THE CONTEMPT ORDER by mailing a copy of the same by United States Mail, postage prepaid, to the following addresses:

- a. The Honorable R. Keith Kelly
125 E. Floyd Baker Blvd.
Gaffney, SC 29340
- b. Scott F. Talley
Talley Law Firm
2500 Winchester Place, Suite 100
Spartanburg, SC 29301


T. Camden Shealy
P. O. Box 3421
Spartanburg, SC 29304
Phone: (864) 699-9801
Fax: (864) 699-9803

January 13, 2015

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2015 JAN 13 PM 1:22
M. HOPE BLACKLEY