

THOMAS H. POPE III  
W. CHAD JENKINS  
KYLE B. PARKER

**DOPE  
&  
HUDGENS**  
ATTORNEYS, P.A.

1508 COLLEGE STREET - P.O. BOX 190  
NEWBERRY, SOUTH CAROLINA 29108  
PHONE (803) 276-2532 FAX (803) 276-8684  
WWW.POPEANDHUDGENS.COM  
March 4, 2015

JOSEPH W. HUDGENS  
*Of Counsel*  
THOMAS H. POPE  
(1913-1999)

Ms. Brenda F. Shealy  
Chief Deputy Clerk  
The Supreme Court of South Carolina  
PO Box 11330  
Columbia, SC 29211

RECEIVED

MAR - 9 2015

S.C. Supreme Court

RE: Susan D. Summer v. Alan Wilson - Appellate Case No. 2014-002222

Dear Ms. Shealy:

I am writing pursuant to your letter of February 27 asking counsel in the above case to advise the Court as to why the appeals that have been filed in this case are not moot.

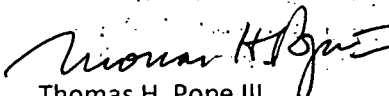
Jay Bender and I represent Respondent Susan D. Summer. Even though the letter was not addressed to Jay and me, we need to inform the Court that in the above referenced appeal the lower court (The Honorable Eugene C. Griffith, Jr.) issued an order on January 16, 2015, which provided that the Attorney General produce documents that it had produced under seal. The judge's order of January 16 also provided that, after reviewing the documents produced, Respondent would have ten days to file a motion to request the production of additional documents. The judge granted an extension of the 10-day period, and within the time allowed, Respondent filed a motion for additional information,

In this motion, Respondent specifically asks the lower court to direct the Attorney General to produce his copy of the Hynie "diary" documents to the Court under seal and requests that the Court order the Attorney General to obtain the documents related to the \$4.7 million appraisal of the James Brown Music Empire from his agent, Russell Bauknight, for the reason that the Attorney General and Bauknight jointly filed on May 6, 2011, with this Honorable Court a motion to supplement the record in the case of Wilson v. Dallas, 703 S.E.2d 746 (2013). The Attorney General asked this Court to supplement the record to add the appraisal documents.

The lower court has not ruled on this motion for the reason that the Attorney General filed a notice of appeal of the judge's January 16 order. On February 19, 2015, Respondent moved for this Court to remand the case to the circuit court to conduct proceedings on this last remaining issue: whether the court will order the Attorney General to produce his copy of the Hynie diary documents under seal and whether or not the court will order the Attorney General to obtain the \$4.7 valuation documents from Bauknight and produce them.

Respondent respectfully points out that if the Supreme Court will remand this matter for resolution, and if Judge Griffith rules that these documents should be produced and the Attorney General complies with that order, it is our position that the appeals will, in fact, then be moot.

Sincerely,

  
Thomas H. Pope III

THP III/lg

cc: J. Emory Smth, Jr., Esquire  
Mark V. Gende, Esquire