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SWEENEY WINGATE & BARROW P.A.

S.C. Supreme Court

March 6, 2015

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Via Hand Delivery

The Honorable Chief Justice and
Associate Justices
South Carolina Supreme Court
1231 Gervais Street
Columbia, SC 29211

RE: Mrs. Adele Pope's February 24, 2015 Motion and Memorandum Seeking Confirmation that Order of February 19, 2015 Staying James Brown Aiken Case does not Stay FOIA cases and Case 4900

Appellate Case No.: 2013-001649
Our File: 4077-7389.001

Dear Chief Justice and Associate Justices:

I represent all plaintiffs, except for the Attorney General, in Richland County case 2010-CP-40-04900, the state court breach of fiduciary duty action against Mrs. Adele Pope concerning the Estate of James Brown.

I am in receipt of Mrs. Pope's above-referenced motion and memorandum in appellant case 2013-001649. Although my clients are not parties to the instant appeal, I request to be heard on a matter of concern noted in Mrs. Pope's motion and memorandum.

In her motion, Mrs. Pope asked this Court to clarify the effect of its February 19, 2015 Order on a Joint Mediation Order issued by Judges Early and Manning in Richland County case 4900 and Aiken County case 1337. Also, by separating her requested relief into three parts (see Mrs. Pope's Motion at p. 2), she is subtly asking this Court to find that certain other matters are not encompassed within Judges Early and Manning's Order.

My concern is that Mrs. Pope's motion is not proper before this Court. Neither Richland County case 4900 nor the Joint Mediation Order is before this Court. Should Mrs. Pope have a question about the status or extent of the Joint Mediation Order issued by Judges Early and Manning, it seems proper that such a request for clarification should be directed to the Court issuing the Order. Should this Court rule on Mrs. Pope's motion, such a ruling may circumvent the authority of the trial court judges to interpret their own order.

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For these reasons, I ask the Court to dismiss Mrs. Pope's motion and direct her to file the same with the appropriate trial court, should she be so inclined.

I have copied all counsel copied by Mrs. Pope in her motion and all counsel of record for Richland County case 4900 and Aiken County case 1337. Should the Court desire these issues be raised in a formal motion or filing, rather than as a letter-brief, I will provide whatever filing the Court directs is appropriate.

Yours truly,

SWEENEY, WINGATE & BARROW, P.A.



Mark V. Gende

MVG/ljm

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