

TURNER PADGET

TURNER PADGET GRAHAM & LANEY P.A.

CHARLESTON
COLUMBIA
FLORENCE
GREENVILLE
MYRTLE BEACH

J. RENÉ JOSEY

REPLY TO: FLORENCE OFFICE
E-MAIL: RJOSEY@TURNERPADGET.COM
WRITER'S DIRECT DIAL: (843) 656-4451
WRITER'S DIRECT FAX: (843) 413-5818

April 20, 2012

Daniel E. Shearouse, Clerk of Court
Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

Re: Norman M. McLean, et al v. James B. Brennan, III, et al 23
Tracking No.: 2012-210194
TPGL File No.: 8077.102

RECEIVED
APR 20 2012
pm 4-20-12
S.C. SUPREME COURT

Dear Mr. Shearouse:

Enclosed for filing is a Consolidated Return to Petition for Certiorari and Proof of Service. I am enclosing the original (unbound) and 7 copies of our Return. I ask that one copy of each be stamped as filed and returned to us in the self-addressed, stamped envelope which is also enclosed.

As indicated in the return, I have been authorized by counsel for all Respondents to submit this consolidated return on behalf of all Respondents. Although all Respondents have reviewed and approved this Return electronically prior to filing, by copy of this letter to all counsel of record – both Appellants and Respondents, we are serving all parties with a hard copy of this Return.

Sincerely,

TURNER, PADGET, GRAHAM & LANEY, P.A.

J. René Josey

JRJ:vlb

Enclosures

Cc: Matthew H. Henrikson, Esquire (w/enclosures)
James Randall Davis, Esquire (w/enclosures)
Harry R. Easterling, Sr., Esquire (w/enclosures)
Edward B. Davis, Esquire (w/enclosures)
W. Cliff Moore, III, Esquire (w/enclosures)
John J. James, II, Esquire (w/enclosures)
David Alexander, Esquire (w/enclosures)

BUSINESS • LITIGATION • SOLUTIONS

319 S. Irby Street (29501) • PO Box 5478 • Florence, SC 29502
Phone (843) 662-9008 • Fax (843) 667-0828 • turnerpadget.com

CULBERTSON + ALEXANDER, LLC
114 Manly Street (29601)
Post Office Box 1904
Greenville, SC 29602
864.370.8222

April 17, 2012

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APR 18 2012

S.C. SUPREME COURT
pm 4-17-12

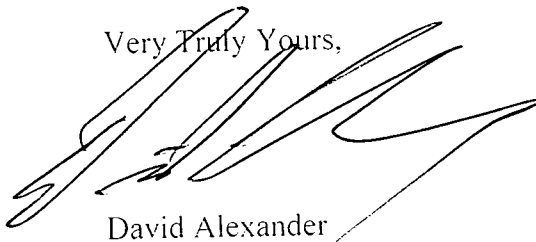
The Honorable Daniel Shearhouse
Clerk of Court, South Carolina Supreme Court
Supreme Court Building
1231 Gervais St.
Columbia, SC 29211

Re: Norman McLean, et al. v. James Drennan, et al.
Case No.: 2009-CP-13-4986
Court of Appeals Tracking No. 2009134986

Dear Mr. Shearhouse:

Enclosed per my conversation with Linda is the Original Amended Proof
of Service.

Very Truly Yours,



David Alexander

April 4, 2012

The Hon. Jenny Kitchings
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

RECEIVED

APR 09 2012

S.C. SUPREME COURT
pm 4-4-12

DAVID ALEXANDER
david@culbertsonalexander.com
ERIN CULBERTSON*
erin@culbertsonalexander.com

**Licensed in NC and SC*

Re: Norman McLean, et al. v. James Drennan, et al.
Case No.: 2009-CP-13-4986
Court of Appeals Tracking No. 2009134986

Dear Ms. Kitchings:

Enclosed please find a corrected Amended Proof of Service to show the correct recipient at the Court of Appeals

By copy of this letter, I am serving opposing counsel with same.

Very Truly Yours,



David Alexander

- c. The Hon. Daniel Shearouse, Clerk, SC Supreme Court
John Jay James, II, Esq.
Harry R. Easterling, Esq.
Edward Bilbro Davis, Esq.
James Randall Davis, Esq.
Jeffrey L. Payne, Esq.
Matthew H. Henrickson, Esq.
W. Cliff Moore, III, Esq.

110 WILLIAMS STREET
GREENVILLE, SC · 29601
864-370-8222 *telephone*
864-370-8227 *facsimile*

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THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

Honorable Diane S. Goodstein, Circuit Judge

RECEIVED
APR 02 2012
S.C. Supreme Court

Unpublished Opinion No.: 2011-UP-517 (S.C. Ct. App. filed Nov. 29, 2011)

Norman M. McLean, James N. McLean, Marie McLean-Choi, William N. McLean,
Robert L. McLean, and JL McLean Properties, LLC..... Petitioners,

v.

James B. Drennan, III as Personal Representative of the Estate of Elizabeth McLean Pence,
James E. Brogdon, Sr. As Trustee of the Trust Agreement of Elizabeth McLean Pence dated May
28, 1999, Wachovia Bank National Association as Personal Representative of the Estate of
Elizabeth P. Pence, Wachovia Bank National Association as Trustee of the Elizabeth P. Pence
Trust, Marlboro Academy, Inc., Charles P. Thompson, Jr., Cheri (Cheryl) Brown Thompson,
Money to Go, LLC, James J. Pence, Jr., as Personal Representative of the Estate of Stephen
Pence, and Harry R. Easterling, Jr..... Respondents.

2nd **AMENDED PROOF OF SERVICE**

I certify that I have served the Amended Petition for a Writ of Certiorari on the following parties by depositing a copy of it in the United States Mail, postage prepaid, on March 26, 2012, addressed to their attorneys of record as indicated below:

Matthew H. Henrikson, Esq.
Clarkson Walsh Rheney & Terrell
Post Office Box 6728
Greenville, South Carolina 29606
Attorney for James B. Drennan, III

James Randall Davis, Esq.
Nicholson Davis Frawley Anderson & Ayer
PO Box 489
Lexington, SC 29701
Attorney for Money to Go, LLC

Harry R. Easterling, Sr. Esq.
Goldberg & Easterling, PA
PO Drawer 655
Bennettsville, SC 29512
Attorney for James J. Pence, Jr. and
Harry R. Easterling, Jr.

Edward B. Davis, Esq.
Bell Davis & Pitt, PA
227 W. Trade Street, Suite 2160
Charlotte, NC 28202
Attorney for Wachovia Bank


Jeffrey L. Payne, Esq.
Turner Padgett Graham and Laney, PA
PO Box 1473
Columbia, SC 29201
Attorney for James E. Brogdon, Sr.

W. Cliff Moore, III, Esq.
Ellis Lawhorne & Sims, PA
PO Box 2285
Columbia, SC 29202
Attorney for Charles P. Thompson, Jr. and Cheri
(Cheryl) Brown Thompson

John J. James, II, Esq.
Pauling & James, LLP
PO Box 507
Darlington, SC 29540
Attorney for Marlboro Academy, Inc.

Jenny Kitchings
The Hon. ~~Jeanette Barber~~
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

30
March ~~29~~, 2012
DA



David Alexander (SC Bar No. 68632)
CULBERTSON + ALEXANDER, LLC
Post Office Box 1904 (29602)
114 Manly Street
Greenville, South Carolina 29601
david@culbertsonalexander.com
Telephone: (864) 370-8222
Facsimile: (864) 370-8227
ATTORNEY FOR THE PETITIONERS

March 30, 2012

The Honorable Daniel Shearhouse
Clerk of Court, South Carolina Supreme Court
Supreme Court Building
1231 Gervais St.
Columbia, SC 29211

Re: Norman McLean, et al. v. James Drennan, et al.
Case No.: 2009-CP-13-4986
Court of Appeals Tracking No. 2009134986

DAVID ALEXANDER
david@culbertsonalexander.com
ERIN CULBERTSON*
erin@culbertsonalexander.com
*Licensed in NC and SC

RECEIVED

APR 02 2012

S.C. Supreme Court

Dear Mr. Shearhouse:

Enclosed for filing please find Petitioners' Amended Petition for Writ of Certiorari and Amended Appendix to same, along with a check from our firm in the amount of \$100.00 to cover the filing fee. Also enclosed is a Proof of Service.

By copy of this letter, I am serving opposing counsel with the Petition only.

Very Truly Yours,



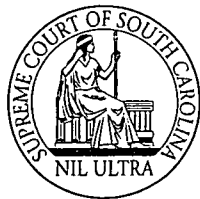
David Alexander

c. The Hon. Jeanette Barber
John Jay James, II, Esq.
Harry R. Easterling, Esq.
Edward Bilbro Davis, Esq.
James Randall Davis, Esq.
Jeffrey L. Payne, Esq.
Matthew H. Henrickson, Esq.
W. Cliff Moore, III, Esq.

check # 1319
\$100.00

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POST OFFICE BOX 1904 · 29602
culbertsonalexander.com



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211

(803) 734-1080

FAX (803) 734-1499

March 28, 2012

David Alexander, Esquire
Culbertson & Alexander, LLC
P.O. Box 1904
Greenville, SC 29602

Re: McLean, Norman v. Drennan, James (Case Tracking No. 2012-210194)

Dear Mr. Alexander:

This office has received your Petition for Writ of Certiorari and Appendix in the above matter. It has been assigned the Case Tracking Number that appears above. Please use this number on all future correspondence relating to this matter.

I do wish to call the attention of the parties to the attached order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

Very truly yours,

Daniel E. Shearouse
CLERK

DES/lda

Enclosure

cc: Edward Bilbro Davis, Esquire
Harry R. Easterling, Esquire
James Randall Davis, Esquire
Jeffrey L. Payne, Esquire
John J. James, II, Esquire
Matthew Holmes Henrikson, Esquire
W. Cliff Moore, III, Esquire
The Honorable Jenny Kitchings

March 26, 2012

DAVID ALEXANDER
david@culbertsonalexander.com
ERIN CULBERTSON*
erin@culbertsonalexander.com

*Licensed in NC and SC

The Honorable Daniel Shearhouse
Clerk of Court, South Carolina Supreme Court
Supreme Court Building
1231 Gervais St.
Columbia, SC 29211

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MAR 27 2012

Re: Norman McLean, et al. v. James Drennan, et al.
Case No.: 2009-CP-13-4986
Court of Appeals Tracking No. 2009134986

S.C. Supreme Court
FedEx 3-26-12

Dear Mr. Shearhouse:

Enclosed for filing please find Appellants' Petition for Writ of Certiorari and Appendix to same. Please return a clocked copy in the envelope provided.

By copy of this letter, I am serving opposing counsel with same.

Very Truly Yours,



David Alexander

- c. John Jay James, II, Esq.
Harry R. Easterling, Esq.
Edward Bilbro Davis, Esq.
James Randall Davis, Esq.
Jeffrey L. Payne, Esq.
Matthew H. Henrickson, Esq.
W. Cliff Moore, III, Esq.

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