

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Doyet A. Early III, Circuit Court Judge

Appellate Case No. 2016-001373

**RECEIVED**

OCT 12 2016

SC Court of Appeals

Russell L. Bauknight, in his capacity as Personal Representative of the Estate of James Brown and Trustee of the James Brown Irrevocable Trust Agreement u/a/d August 1, 2000, David C. Sojourner, Jr., in his capacity as Limited Special Administrator of the Estate of James Brown, a/k/a James Joseph Brown and Limited Special Trustee of the James Brown Irrevocable Trust, u/a/d August 1, 2000, Tonya Brown a/k/a Sarah Latonya Brown, Vanisha Brown, Larry Brown, Deanna J. Brown Thomas, Jason Brown Lewis and Yamma N. Brown Lumar, individually and on behalf of her minor children, Sydney Lumar and Carrington Lumar, ..... Respondents,

v.

Terry Brown and Darryl Brown of whom Terry Brown is the ..... Appellant.

In Re: The Estate of James Brown a/k/a James Joseph Brown

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RESPONDENT DAVID C. SOJOURNER, JR.'S, IN HIS CAPACITY AS LIMITED SPECIAL ADMINISTRATOR OF THE ESTATE OF JAMES BROWN, A/K/A JAMES JOSEPH BROWN AND LIMITED SPECIAL TRUSTEE OF THE JAMES BROWN IRREVOCABLE TRUST, U/A/D AUGUST 1, 2000 DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

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Respondent David C. Sojourner, Jr., in his capacity as Limited Special Administrator of the Estate of James Brown, a/k/a James Joseph Brown and Limited Special Trustee of the James Brown Irrevocable Trust, u/a/d August 1, 2000, proposes that the following is included in the Record on Appeal:

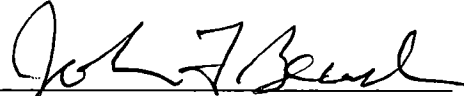
1. Circuit Court Interim Order appointing David C. Sojourner, Jr. as Limited Special Trustee filed October 3, 2013;

2. Probate Court Interim Order Appointing Limited Special Administrator appointing David C. Sojourner, Jr. as Limited Special Administrator filed October 10, 2013;
3. Final Order granting Respondents' Joint Motion filed March 7, 2016;
4. Final Order denying Appellant's Motion to Alter, Amend or Reconsider filed May 31, 2016;
5. Petition to Set Aside Informal Probate filed December 26, 2007;
6. Petition to Set Aside Trust filed December 26, 2007;
7. Amended Petition to Set Aside Informal Probate and Amended Petition to Set Aside Trust and for Appointment of an Administrator in Intestacy filed January 23, 2008;
8. Transcript of January 14, 2016 Hearing before the Honorable Doyet A. Early, III;
9. Transcript of May 16, 2016 Hearing before the Honorable Doyet A. Early, III;
10. Last Will and Testament of James J. Brown dated August 1, 2000;
11. James Brown Irrevocable Trust Agreement dated August 1, 2000;
12. Deposition of Deanna Brown Thomas dated October 31, 2007;
13. Deposition of H. Dewain Herring, Jr., Volume I and all Exhibits, dated November 18, 2015;
14. Deposition of H. Dewain Herring, Jr., Volume II and all Exhibits, dated December 9, 2015;

15. Yamma Brown's Responses to LSA's First Set of Interrogatories and Requests for Production of Documents dated May 23, 2014;
16. Deanna Brown Thomas's Responses to LSA's First Set of Interrogatories and Requests for Production of Documents dated June 2, 2014;
17. Larry Brown's Responses to LSA's First Set of Interrogatories and Requests for Production of Documents dated October 19, 2015;
18. Joint Motion to Authorize Settlement filed December 7, 2015;
19. Terry Brown's Response to Joint Motion to Authorize Settlement filed December 28, 2015;
20. Terry Brown's Amended Response to Joint Motion to Authorize Settlement filed December 30, 2015;
21. Terry Brown's Motion to Alter, Amend and Reconsider filed March 4, 2016;
22. Terry Brown's Motion to Alter, Amend and Reconsider re-filed March 8, 2016; and
23. LSA's Memorandum in Opposition to Respondent Terry Brown's Motion to Alter, Amend and Reconsider Order Granting Joint Motion to Authorize Settlement filed April 18, 2016.

The undersigned hereby certify that this designation does not include any matter which is irrelevant to this appeal.

Respectfully submitted,



John F. Beach, S.C. Bar No. 595  
Lyndey Ritz Zwingelberg, S.C. Bar No. 11506  
Adams and Reese LLP  
1501 Main Street, 5th Floor  
Post Office Box 2285 (29201)  
Columbia, South Carolina 29202  
(803) 254-4190

*Attorneys for Respondent David C. Sojourner, Jr.,  
Limited Special Administrator of the Estate of  
James Brown and Limited Special Trustee of the  
James Brown Irrevocable Trust, u/a/d August 1,  
2000*

October 12, 2016.

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v.

Terry Brown and Darryl Brown of whom Terry Brown is the ..... Appellant.

In Re: The Estate of James Brown a/k/a James Joseph Brown

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PROOF OF SERVICE

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The undersigned hereby certifies that she has served the foregoing Initial Brief of Respondent David C. Sojourner, Jr., in his capacity as Limited Special Administrator of the Estate of James Brown, a/k/a James Joseph Brown and Limited Special Trustee of the James Brown Irrevocable Trust, u/a/d August 1, 2000, Designation of Matter to be Included in the Record on Appeal and this Proof of Service by depositing a copy of same in the United States Mail, postage prepaid on October 12, 2016 and addressed as follows:

Robert N. Rosen, Esquire  
Corey T. L. Smith, Esquire  
Erin C. Casey, Esquire  
Rosen Law Firm, LLC  
18 Broad Street, Suite 201  
Charleston, SC 29401  
*Attorney for Tommie Rae Brown*

S. Alan Medlin, Esquire  
1713 Phelps Street  
Columbia, SC 29205  
*Attorney for Tommie Rae Brown*

David L. Michel, Esquire  
15 State Street  
Charleston, SC 29401  
*Attorney for Tommie Rae Brown*

Louis Levenson, Esq.  
Levenson & Associates  
125 Broad Street, SW  
Atlanta GA 30303  
*Attorney for Respondents, Deanna Brown  
Thomas, Yamma Brown, Venisha Brown  
and Larry Brown*

Matthew Day Bodman, Esq.  
Matt Bodman, PA  
1500 Calhoun Street  
Columbia SC 29201  
*Attorney for Daryl Brown and Michael  
Deon Brown*

Scott Keniley, Esquire  
Keniley Kumar, LLC  
Two Ravinia Drive, Suite 500  
Atlanta, GA 30346  
*Attorney for Appellant Terry Brown*

Arnold S. Goodstein, Esquire  
208 Sumter Avenue  
Summerville, SC 29484-2350  
*Attorney for Tommie Rae Brown*

T. Heyward Carter, Jr., Esquire  
Evans, Carter, Kumes & Bennett, PA  
PO Box 369  
Charleston, SC 29401  
*Attorney for Tommie Rae Brown*

A. Peter Shahid, Jr., Esquire  
Shahid Law Office, LLC  
89 Broad Street  
Charleston, SC 29401  
*Attorney for Guardian ad Litem Stephen M.  
Slotchiver*

David B. Bell, Esq.  
David Bell Law Firm  
619 Greene Street  
Augusta GA 30903  
*Attorney for Daryl Brown, Michael Deon  
Brown and Lisa Sims*

John A. Donsbach, Esq.  
Donsbach & King, LLC  
504 Blackburn Drive  
Augusta GA 30907  
*Attorney for Appellant Terry Brown*

J. David Black, Esquire  
Nexsen Pruet, LLC  
PO Drawer 2426  
Columbia, SC 29201  
*Attorney for Russell Bauknight*

William Joseph Barr, Esq.  
Barr Law LLC  
108 N. Academy Street  
Kingstree SC 29556-3422  
*Attorney for Respondents Tonya Brown  
a/k/a Sarah LaTonya Brown-Fegan,  
Jeanette Mitchell and Ciara Pettitt and  
Cherquarius Williams for LaRhonda Pettitt*

Vera Gilford, Esquire  
Post Office Box 12553  
Miami, Florida 33101  
*Attorney for Respondents Tonya Brown  
a/k/a Sarah LaTonya Brown-Fegan,  
Jeanette Mitchell and Ciara Pettitt and  
Cherquarius Williams for LaRhonda Pettitt*

Itriss Jenkins, Esquire  
Itriss J. Jenkins, LLC  
215 E. Bay Street, Suite 203  
Charleston, SC 49401  
*Attorney for Respondents Tonya Brown  
a/k/a Sarah LaTonya Brown-Fegan,  
Jeanette Mitchell and Ciara Pettitt and  
Cherquarius Williams for LaRhonda Pettitt*

Robert C. Byrd, Esquire  
Parker Poe Adams & Bernstein LLP  
200 Meeting Street, Suite 301  
Charleston, SC 29401  
*Attorneys for Respondents, Deanna Brown-  
Thomas, Dr. Yamma Brown and Venisha  
Brown*

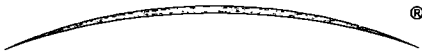


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Linda B. Brewer  
Paralegal for Adams and Reese LLP  
1501 Main Street, Fifth Floor  
Post Office Box 2285 (29202)  
Columbia, South Carolina 29201  
(803) 254-4190  
*Attorneys for Respondent David C.  
Sojourner, Jr., Limited Special  
Administrator of the Estate of James Brown  
and Limited Special Trustee of the James  
Brown Irrevocable Trust, u/a/d August 1,  
2000*

October 12, 2016

# ADAMS AND REESE LLP



October 12, 2016

**Attorneys at Law**  
Alabama  
Florida  
Louisiana  
Mississippi  
South Carolina  
Tennessee  
Texas  
Washington, DC

John F. Beach  
Direct: 803.343.1269  
E-Fax: 803.343.1224  
john.beach@arlaw.com

Via Hand Delivery

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

In Re: The Estate of James Brown a/k/a James Joseph Brown  
Terry Brown v. Russell L. Bauknight, et al.  
Appellate Case No. 2016-001373  
A&R File No. 022853-000001

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Dear Ms. Kitchings:

Enclosed for filing is an original and one copy of the Initial Brief of the Respondent David C. Sojourner, Jr., in his capacity as Limited Special Administrator of the Estate of James Brown, a/k/a James Joseph Brown and Limited Special Trustee of the James Brown Irrevocable Trust, u/a/d August 1, 2000 and Designation of Matter to be Included in the Record on Appeal in the above-referenced matter together with a Proof of Service. Please file the original and return the clocked-in copy with our courier.

By copy of this letter, I am serving a copy of these documents on all attorneys of record.

Thank you for your assistance in this matter. Please contact me with any questions or concerns.

Sincerely,

John F. Beach

JFB/abb

Enclosures

cc: David C. Sojourner  
All parties of Record