

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Carmen T. Mullen, Circuit Court Judge

Case No. 2015-CP-10-2056

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SC Court of Appeals

In the Matter of John Thomas Cameron, Decedent

Linda Seaton-Cameron,

Appellant,

v.

Helen L. Cameron,

Respondent.

RECORD ON APPEAL

James D. Gandy, III (11925)
Law Office of James D. Gandy, III, LLC
Post Office Box 2326
Mt. Pleasant, South Carolina 29465
(843) 469-0800
Attorney for Appellant

John Kachmarsky, LLM
Law Office of John Kachmarsky
171 Church Street, Suite 330
Charleston, SC 29401
Attorney for Respondent

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Defendant.

ORDER

FILED
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JULIE J. ARMSTRONG
CLERK OF COURT
BY _____

Based on the motions and written submissions filed, the witnesses presented, the Court's record in these matters, the arguments and representations of counsel present at the trial and the applicable law, this Court makes the following findings of fact and law:

FINDINGS OF FACT

1. The Decedent, John Cameron and the Plaintiff cohabitated together in New York and South Carolina from approximately 2001 until the time of the Decedent's death on July 12, 2014.
2. The Decedent and the Plaintiff jointly owned a house together in South Carolina, and primarily as a result of statements made by the Plaintiff, some members of the community acknowledged that Plaintiff and Decedent maintained a reputation as being a married couple.
3. The Decedent held himself out as being single during the relationship, particularly to members of his family who resided in New York.
4. The Decedent claimed he was single on various federal, South Carolina, and New York income tax returns throughout the course of his relationship with the Plaintiff.
5. The Plaintiff was listed as a "friend" on an IRA beneficiary designation by the Decedent, and based on the testimony of the witnesses present, did not assent to a common law marriage with the Plaintiff.

CONCLUSIONS OF LAW

1. The parties hereto and the subject matter hereof are all within the jurisdiction of this Court.
2. Whether a common law marriage exists is a question of law. Campbell v. Christian, 235 S.C. 102, 104, S.E.2d. 1, 2 (1959). The proponent of the alleged marriage has the burden of proving the elements by a preponderance of the evidence. Ex parte Blizzard, 185 S.C. 131, 133, 193 S.E. 633, 634 (1937). A common law marriage is formed when two parties contract to be married. Johnson v. Johnson, 235 S.C. 542, 550, 112 S.E. 2d 647,651 (1960). Although no express contract is necessary and the agreement may be inferred from the

circumstances, there must be mutual assent, i.e., the intent of each party to be married to the other and a mutual understanding of each party's intent. Kirby v. Kirby, 270 S.C. 137, 140, 241 S.E. 2d 415, 416 (1978). When the proponent of the common law marriage proves that the parties participated in "apparently matrimonial" cohabitation, and that while cohabiting the parties had a reputation in the community as being married, a rebuttable presumption arises that a common law marriage was created. Jeanes v. Jeanes, 255 S.C. 161, 166-67, 177 S.E. 2d 537, 539-40 (1970). This presumption may be overcome by "strong, cogent" evidence that the parties in fact never agreed to marry. Jeanes, 255 S.C. at 167, 177 S.E. 2d at 540.

3. I find that the Decedent and the Plaintiff jointly owned a house in South Carolina, lived together, and had a reputation as being a married couple among some members of the community. However, Mr. Cameron did not assent to the common law marriage alleged by the Plaintiff.

4. I further find that the Decedent's individual income tax returns, among other evidence presented, provide strong, cogent evidence that he did not have the intent to be married to the Plaintiff.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Plaintiff's Petition for Common Law Spouse and Omitted Spouse is hereby **DENIED**.

IT IS SO ORDERED.



The Honorable Carmen Mullen
Judge of the 9th Judicial Circuit

7-20, 2016
Charleston, South Carolina

1 STATE OF SOUTH CAROLINA)
2 COUNTY OF CHARLESTON) Court of Common Pleas
3 _____) Case No. 2015-CP-10-2056
4 LINDA SEATON-CAMERON,)
5 Plaintiff,)
6 vs.) Transcript of Record
7 HELEN CAMERON,)
8 Defendant.) DATE: July 18, 2016
9 _____)

10 B E F O R E:

11 THE HONORABLE CARMEN TEVIS MULLEN

12
13 A P P E A R A N C E:

14 JAMES D. GANDY, III
15 Attorney for the Plaintiff

16 JOHN KACHMARSKY
17 Attorney for the Defendant

18 Karen V. Andersen, RMR, CRR
19 Circuit Court Reporter

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1 THE COURT: All right. If y'all would, just for the
2 court reporter, I just want to start on this side, Mr. Gandy,
3 with your client. Just introduce who is at the table with
4 you.

5 MR. GANDY: Yes, ma'am. I'm Tripp Gandy,
6 representing Linda Seaton.

7 THE COURT: Very good.

8 MR. KACHMARSKY: John Kachmarsky. I have Joan Wise.
9 And this is Mr. Helen Cameron.

10 THE COURT: Okay. And what's Ms. Wise's involvement
11 in this case?

12 MR. KACHMARSKY: She was the decedent's sister.

13 THE COURT: Sister. All right. Thank you.

14 Well, because we are bench trying this, obviously,
15 we can dismiss with a few of the typical formalities. As
16 y'all know, and correct me if I'm wrong, my understanding is
17 that the only thing we are here to determine in this trial is
18 whether or not the Ms. Seaton-Cameron is common law married
19 or was common law married to Thomas Cameron. Is that
20 correct, Mr. Gandy?

21 MR. GANDY: Yes, Your Honor, and also whether she
22 was his spouse under his will.

23 THE COURT: Okay. Mr. Kachmarsky.

24 MR. KACHMARSKY: That's correct, Your Honor.

25 I would want to renew some objections or motions

1 that I've made previously. And I've got another one before
2 we get started.

3 THE COURT: Okay. Why don't we go ahead and take
4 those up then.

5 MR. KACHMARSKY: Okay. Well, the first one relates
6 to subject-matter jurisdiction. If I may approach.

7 THE COURT: Yes, sir.

8 MR. KACHMARSKY: I previously filed this memorandum
9 in support of summary judgment. I will give you the one that
10 has all the attachments to it.

11 One of the problems with this case is that the
12 decedent died in New York City. And at the time of his
13 death, he owned property in New York. He didn't die in New
14 York City -- I'm sorry. He owned property in New York. He
15 had a will that said he was a resident of New York. He owned
16 real property. He was actually present in New York when he
17 died. And there is a finding by the circuit court in New
18 York City that he is, in fact, a resident of New York.

19 And there is a statute in New York that provides
20 that if there's a finding that a person is a resident of New
21 York, you bring an action, and in that action, if you allege
22 fraud or collusion, that circuit court can overturn it.

23 We have also statutes in South Carolina that
24 basically preclude an action from going forward in South
25 Carolina if there is already a finding in New York, which

1 there is. So I see this as being problematic. I've made a
2 motion for summary judgment based on the Court has denied --

3 THE COURT: That was before Buddy Nicholson; is that
4 correct?

5 MR. KACHMARSKY: That's correct.

6 THE COURT: About three weeks ago, and my
7 understanding, he issued an order on Friday denying that
8 motion; is that correct?

9 MR. KACHMARSKY: That's correct.

10 THE COURT: Okay.

11 MR. KACHMARSKY: The further problem with it is,
12 under South Carolina law, under the common law, there's a
13 case *Kelly vs. Kelly*. I have a copy of that. And this case
14 speaks of impediments to common law marriage. And so
15 impediment would be if you were legally married to somebody
16 else, for example, you couldn't be common law because you
17 can't do both.

18 Another impediment that the courts upheld is that if
19 you are living in another jurisdiction, that's an impediment
20 to marriage. And that's what Kelly actually states. And so,
21 again, we have this finding that he's a New York resident.
22 And we have somebody that's trying to prove that he is a
23 common law spouse in South Carolina. Nobody said anything
24 about the findings made in New York. And our statutes, I
25 believe, make it clear that you have to take judicial notice

1 of the finding.

2 THE COURT: What am I supposed to do with the
3 finding Judge Condon made when he transferred this case up
4 that they were domiciled -- that the decedent was domiciled
5 in South Carolina? And it's my understanding that the New
6 York probate court, the surrogate court, has stayed the
7 probate proceedings pending the South Carolina determination.

8 MR. KACHMARSKY: Well, that has been one of the
9 problems with the case from the beginning, is that it seems
10 like courts have kind of been like birds on the wire. They
11 are waiting for somebody else to do something.

12 THE COURT: I understand you are the one,
13 Mr. Kachmarsky, that asked that this case be removed to
14 circuit court from probate court.

15 MR. KACHMARSKY: That's correct.

16 THE COURT: And, again, I was given -- only reason
17 why I had this case, we had this discussion back in chambers
18 last week, was looking at the statute, typically, the probate
19 court or the family court would be the person most right or
20 appropriate to determine common law marriage, even if it is
21 in South Carolina. But it was you, Mr. Kachmarsky, your
22 client, that actually moved to have it brought up here.

23 MR. KACHMARSKY: Well, that's the final actual
24 issue, is whether or not it belongs in probate court. And I
25 think it pretty clearly does not. And it should have been

1 brought in family court. Family court would have had
2 jurisdiction to hear it.

3 THE COURT: Correct me if I am wrong, how you got
4 Judge Condon to transfer this case into the circuit court was
5 because, A, you requested a jury trial; and, B, you did it
6 pursuant to --

7 MR. KACHMARSKY: There's a probate code statute that
8 allows --

9 THE COURT: What is the statute for that?

10 MR. KACHMARSKY: I don't know.

11 THE COURT: It's actually 62-1-302, and (d) I
12 believe he was referring to was (d) (5).

13 MR. KACHMARSKY: It's an absolute matter of right by
14 any party or the judge himself.

15 THE COURT: And then y'all agreed last week when we
16 had a status conference, I think both sides agreed that they
17 would be willing to allow me to bench try it.

18 MR. KACHMARSKY: That's correct.

19 THE COURT: Quite frankly, the circuit court doesn't
20 want to sit here and determine matters of common law
21 marriage. That's not typically what we do up here. We are
22 trial courts. But, again, you moved, as a matter of right,
23 to bring it here.

24 MR. KACHMARSKY: We are talking about jurisdiction,
25 though. We are talking about original jurisdiction.

1 THE COURT: I understand.

2 MR. KACHMARSKY: So that doesn't change by being in
3 this court.

4 THE COURT: Mr. Gandy.

5 MR. GANDY: Your Honor, if I may, just initially,
6 this is the exact same motion that Judge Nicholson denied,
7 which was subject-matter jurisdiction. So that's the order
8 in this case from the circuit court. I don't think he can
9 renew it now in front of you at this moment before trial.
10 But be that as it may, Judge Condon also heard the same
11 motion in probate court and issued an order denying it and
12 finding that Mr. Cameron was a domiciliary of South Carolina.
13 And the evidence that you are hearing this morning will
14 establish that he's a -- that South Carolina was his
15 domicile. This is where he had his permanent home, where he
16 always returned to.

17 THE COURT: Didn't Judge Condon actually make that
18 finding actually in probate court?

19 MR. GANDY: He did, Your Honor, in his order deny
20 their motion to dismiss. So my position is that's a finding
21 that's binding on this Court as a matter of history of the
22 case.

23 THE COURT: Additionally, I know there was much
24 discussion about the New York surrogate court, notice being
25 given or no notice being given to Linda Seaton-Cameron,

1 because, according to them, she was not a common law spouse,
2 nor would she pay under the estate; is that correct?

3 MR. GANDY: That's correct. That was part of my
4 argument in the probate court.

5 MR. KACHMARSKY: On that issue, Judge, she was
6 noticed with two letters.

7 THE COURT: From an attorney?

8 MR. KACHMARSKY: That's correct.

9 THE COURT: To vacate the house, correct?

10 MR. KACHMARSKY: And then in addition to that,
11 there's a real question as to whether or not she's really
12 even entitled to notice based on mere allegation that she is
13 common law spouse. We had that issue.

14 But, thirdly, she has availed herself of the New
15 York court proceedings on multiple occasions. So she's
16 appeared in New York. And our case law holds that that is
17 notice. And under the New York law, she's also noticed.

18 So she's had notice, constructive notice, written
19 notice by actually appearing and availing herself of the
20 courts, which she has done on a regular basis. So I really
21 don't see the notice issue as being really determinative.

22 MR. GANDY: Be that as it may, Your Honor, again,
23 this motion has been heard twice before, denied twice before.
24 No need to get into it again before we start testimony.

25 We will establish that he is domiciled in South

1 Carolina and that this is an issue in South Carolina law,
2 whether or not they're common law spouses.

3 And the reason we brought it in probate court was
4 also to establish that she was spouse under a will that
5 predated their relationship.

6 MR. KACHMARSKY: I'm going to be objecting to any
7 testimony about him being a South Carolina resident. I mean,
8 I will make reference specifically to South Carolina
9 statutes, but he's -- there is a finding. We have statute
10 that says that it's binding. And if he's going to put up
11 witnesses and they are going to testify that he was a
12 resident of South Carolina, I will be objecting to them.

13 THE COURT: Why didn't you object to Judge Condon's
14 order when Judge Condon found he was domiciled here?

15 MR. KACHMARSKY: My understanding of that order was
16 that it was interlocutory. And I'd bring it up on appeal,
17 but not that I could appeal it at that point.

18 THE COURT: Okay. Well, I say let's go forward.
19 Let's hear testimony and we will go from there. Okay?

20 MR. GANDY: Thank you, Your Honor. Ready for me to
21 call the first witness?

22 THE COURT: I am.

23 MR. GANDY: I call Gail Young.

24 GAIL YOUNG,

25 having been duly sworn, testifies as follows:

1 THE COURT: Spell your first and last name for the
2 record.

3 THE WITNESS: Gail, G-a-i-l, Young, Y-o-u-n-g.

4 DIRECT EXAMINATION

5 BY MR. GANDY:

6 Q. Good morning, Ms. Young. I'm Tripp Gandy. I
7 represent Linda Seaton. Thank you for coming in this
8 morning. Can you tell us, please, where you live?

9 A. I live in Mount Pleasant. Do you need a specific
10 address?

11 Q. Yes, ma'am.

12 A. 12 Boathouse Close, Mount Pleasant.

13 Q. Do you know Linda?

14 A. I do.

15 Q. Did you also know her -- did you also know John
16 Cameron?

17 A. I did.

18 Q. Do you remember how you first met them?

19 A. I do. I'm a real estate agent. And I had two
20 listings in the neighborhood across the street from John and
21 Linda. And they came to the open house. I had several open
22 houses. We became friendly through that. And then I
23 eventually invited them to our annual Christmas party, which
24 they came to twice.

25 Q. When you first met them, how did they introduce

1 themselves to you; do you remember?

2 A. I don't specifically remember. To me, they were a
3 married couple.

4 Q. How did you understand their relationship at that
5 time?

6 A. You mean a personal perception of it? A warm,
7 loving couple.

8 Q. As husband and wife?

9 A. Yes.

10 Q. Okay.

11 MR. KACHMARSKY: I object. That's reaching a
12 conclusion. And she hasn't even talked about how she would
13 reach that.

14 MR. GANDY: I will ask her.

15 THE COURT: We can go through it.

16 BY MR. GANDY:

17 Q. Ms. Young, will you tell us what the basis is of
18 that conclusion that they were husband and wife, why you
19 concluded that?

20 A. It was an assumption. You know, there was nothing
21 specific. Honestly, it's five, six years ago when that first
22 happened. I knew they lived across the street. They were
23 introduced. I can't tell you, you know, we are married, we
24 are not. I don't know.

25 Q. What do you understand Linda's last name to be?

1 A. It was Cameron to me.

2 Q. Did you ever hear them introduce each other as their
3 spouse? Do you remember that?

4 A. I don't recall that.

5 MR. GANDY: Thank you, Your Honor. That's all I
6 have.

7 THE COURT: Thank you, Mr. Kachmarsky.

8 MR. KACHMARSKY: I don't have anything for this
9 witness.

10 THE COURT: All right. Thank you, ma'am. You may
11 be excused. Call your next witness.

12 MR. GANDY: Lisa Smith.

13 LISA SMITH,

14 having been duly sworn, testifies as follows:

15 THE COURT: Unless Lisa Smith is spelled anything
16 other than --

17 THE WITNESS: L-i-s-a.

18 THE COURT: Thank you.

19 DIRECT EXAMINATION

20 BY MR. GANDY:

21 Q. Ms. Smith, state your name for us, please.

22 A. Laura Lisa Smith.

23 Q. Where do you live?

24 A. I live at 2 5th Avenue, New York, New York, 10011.

25 Q. And do you know Linda?

1 A. Yes.

2 Q. And did you know John Cameron?

3 A. Absolutely, yes.

4 Q. Can you tell the Court when you first met them?

5 A. I was a summer resident in Montauk. And I used to
6 go into Whoa, Nellie all the time. I loved the shop. It had
7 beautiful objects.

8 Q. You have to tell us what Whoa, Nellie is.

9 A. Whoa, Nellie is the shop that Linda and John owned
10 in Montauk on Main Street.

11 Q. Tell us, when you first met them, did they introduce
12 themselves to you?

13 A. I went into the shop and, you know, pointed
14 something out and -- what do you mean? I'm not understanding
15 your question.

16 Q. Let me ask you this. How did you understand their
17 relationship?

18 A. As husband and wife.

19 MR. KACHMARSKY: I would object to that, Your Honor,
20 to anything that occurred in New York. It's an impediment to
21 common law marriage. And I would object to any testimony
22 about how they held themselves out in New York. Doesn't have
23 anything to do with establishing a common law marriage in
24 South Carolina.

25 MR. GANDY: Your Honor, they lived in New York five

1 months out of the year. It's only natural that people in New
2 York --

3 THE COURT: I'm going to allow them to testify. Go
4 ahead.

5 BY MR. GANDY:

6 Q. You knew them as husband and wife; is that correct?

7 A. Absolutely.

8 Q. What is the basis --

9 MR. KACHMARSKY: Again, I object based on that being
10 a conclusion.

11 THE COURT: Again, he needs to lay a foundation for
12 it. I agree.

13 BY MR. GANDY:

14 Q. What is the basis for that understanding?

15 A. I remember one time when I asked Linda and John if
16 they would help me out on their -- I wanted to get an air
17 stream. And I needed somebody to help me move it. And John
18 said that he and Linda were very committed to the house in
19 Sag Harbour because the mother was there during the -- his
20 mother was there during the summer, and that he couldn't be
21 relied on, that he and Linda had to go home every day after
22 work because he wanted to be with his mother.

23 Q. How did he refer to Linda?

24 A. As his wife.

25 Q. And how did Linda refer to John?

1 A. Husband.

2 Q. Is that part of your basis of your understanding,
3 was that they would refer to each other as spouses?

4 A. Yeah. Somebody calls somebody their husband or
5 their wife, that's their spouse.

6 Q. As far as you know, what was their reputation in the
7 community up there as far as their relationship?

8 A. They were a very happy couple.

9 Q. What was the status of their relationship?

10 A. Husband and wife.

11 MR. GANDY: Thank you, Your Honor. I don't have any
12 other questions.

13 MR. KACHMARSKY: I don't have any questions either.
14 I would move to strike her entire testimony. It's all
15 related to conversations that occurred in New York.

16 THE COURT: Okay. Overruled.

17 You may call your next witness.

18 MR. GANDY: I call Linda Seaton, Your Honor. Your
19 Honor, can I see if there's a couple witnesses in the hall
20 before I call Ms. Seaton?

21 I call Ms. Seaton, Your Honor.

22 MR. KACHMARSKY: Before she begins, testifies, I
23 have an objection under the dead man's statute. She would be
24 precluded from offering any evidence of -- that relates to
25 transactions that she had with the decedent under the dead

1 man's statute. And I would purport that marriage is a
2 transaction that she would be precluded from testifying
3 about. And I'm happy to give you --

4 THE COURT: Sure. Go ahead.

5 MR. KACHMARSKY: I've got one general case on the
6 dead man's statute. It's Estate of Mason. This talks about
7 whether or not you have a direct interest in the estate.
8 Ms. Wise is not a person who would be subject to that
9 statute, but Ms. Cameron and Ms. Seaton would both be subject
10 to it.

11 THE COURT: I've reviewed the case with respect to
12 Mason. Obviously, the purpose of the dead man's statute is
13 to try to promise or try to prove that something did not
14 occur and there was no way to challenge it. I think in this
15 case, with the establishment of trying to show a common law
16 marriage, which Ms. Seaton-Cameron has the burden by clear
17 and convincing evidence to prove it, I think she has to be
18 able to testify to her relationship, and at least from what
19 she did with him.

20 So I'm going to go ahead and allow her to testify to
21 that extent. We will allow a running objection,
22 Mr. Kachmarsky, for appeal purposes.

23 MR. GANDY: Before she's sworn in, can I put another
24 witness on the stand? Somebody just got here. I don't
25 believe she's been sworn in yet. My apologies, Your Honor.

1 I'm just trying to juggle people to get here.

2 THE COURT: Sure. Who is your next witness?

3 MR. GANDY: Denise Salomon.

4 DENISE SALOMON,

5 having been duly sworn, testifies as follows:

6 THE CLERK: For the record, if you will please state
7 your name, spelling your last name.

8 THE WITNESS: Denise, middle initial A., Salomon,
9 S-A-L-O-M-O-N.

10 DIRECT EXAMINATION

11 BY MR. GANDY:

12 Q. Thank you for being here. I'm Tripp Gandy. Will
13 you tell the Court where you live.

14 A. I live in Sag Harbor, Long Island, in New York.

15 Q. Do you also have a house here in Charleston?

16 A. Yes, I do, on Wentworth, yes.

17 Q. You divide your time between South Carolina and New
18 York?

19 A. Yes.

20 Q. Will you tell -- do you know Linda?

21 A. Yes.

22 Q. And did you know John Cameron?

23 A. Yes. I spent a few days with John when Linda had to
24 come up north for some family matters. And John and I went
25 around, looked at some houses with me, and we spent a lot of

1 time together, yes.

2 Q. We will come to that. Will you tell the Court how
3 you first met them?

4 A. Well, Linda I've known for over 42 years. And then
5 when she met John -- God, this is going back so long now.
6 When she met John, we were still friendly. But then I
7 started wandering off. And Linda and John were living in, I
8 don't know, Center Moriches. And then they ended up, they
9 both came down here together. And then we sort of lost touch
10 for a while. But then I happened to be in Montauk and went
11 into their store and ran into them again. And they were
12 saying they were living down here.

13 So we started having dinner and movies, what girls
14 do. And I came down here for a week and stayed with them.
15 And I thought, you know what, as soon as I went into the
16 city, I said, that's it, I'm buying a house here. And that
17 was it. I fell in love with the architecture, my friends I
18 met down here. I fell madly in love with it.

19 Q. So you are one of the many New Yorkers that bought a
20 house in Charleston?

21 A. Yes. I hate to say it, Charleston is now being
22 deemed a world heritage site, which is not helping.

23 Q. Let me ask you. What is your understanding of their
24 relationship?

25 A. My understanding is that they were married. And

1 John treated her as his wife. She treated him as her
2 husband. And when I stayed down here with them for a week,
3 if Linda and I were going to do something, she would say,
4 John, do you want to join us, or, what do you want for lunch,
5 what do you want for dinner, and treated him as her husband.

6 He would call her during the day: What are you
7 doing? What are we having for dinner? What about a change
8 of plans? And he -- they treated each other as husband and
9 wife.

10 Q. They referred to each other as husband and wife?

11 A. Yes, they did. And when I got to spend a few days
12 with John, I got to know John a little more. Because he
13 wasn't the easiest to get to know, as some men aren't. And
14 so we spent three days together just talking and whatnot.
15 And Linda, he considered Linda "my wife". He called her "my
16 wife is up north." And, you know, he missed her. I remember
17 that.

18 There was a hockey game on. His mom had called. He
19 spoke to his mother a lot, because I think they liked the
20 Rangers or whatever it is. He always spoke to his mom. But
21 he always called Linda his wife. He was so worried that she
22 was up north dealing with some family matters with her son.
23 He was really, really worried about her, as she worried about
24 him. But he really just -- his life was Linda. Without
25 Linda, he did not have a life. He did not. She was his

1 life.

2 Q. What was their reputation in the community as far as
3 you know?

4 A. In Charleston?

5 Q. In Charleston.

6 A. I don't know. I think they were considered husband
7 and wife. I mean, I got to know some friends of theirs that
8 lived next-door that have since moved away. Then another
9 friend of theirs was around the corner. I forgot her name.

10 Q. That's all right. What about -- what was their
11 reputation in Sag Harbor?

12 A. Their reputation in Sag Harbor was they were a
13 couple. They were, you know, Linda and John Cameron.

14 Q. Husband and wife?

15 A. There was no differentiation between the two of
16 them.

17 Q. Did you ever have any discussions with John when you
18 were with him for two days about their future?

19 A. Yes, I did, many, and even before that. The
20 conversations were always consistent. He was very worried
21 that if something happened to Linda -- if something happened
22 to him, how she would be taken care of. He was always
23 concerned about that. I know they had -- you know, they
24 talked about -- he talked about it with me. He said that
25 they did not have a life in New York anymore. His life was

1 down here in Charleston.

2 He was trying to get his real estate license. He
3 was trying to get a job working in the city with giving
4 tours, because I had this conversation with him. I said,
5 John, you better really get out there because Charleston is
6 tight.

7 You have to -- my good friends who are involved in
8 the preservation society, I said, how do you get involved?
9 And they said, Denise, you just better get on it and get
10 involved.

11 And I've had these conversations with him. He
12 desperately wanted to be involved down here and get a job
13 down here.

14 The only reason he was up in New York was because
15 his mom was still alive. And as soon as she was -- when she
16 was to pass away, as he told me, they were out of Sag Harbor.
17 He was starting to make those moves anyway. He refinanced
18 the house. They shut their store in Montauk; was starting to
19 go down a little bit. Getting everything on line now sort of
20 hurt the small retailer. So he took a line of credit out on
21 the house. And, you know, he was -- he had wanted to have a
22 conversation with his mother of; you know, they needed to
23 rent the house up north or do something, but they needed to
24 get out of it and just complete their life down here. He
25 really did not like going up north at all.

1 Q. What did he say, if anything, regarding how he
2 wanted to take care of Linda?

3 A. I know that he was worried, because we were all
4 getting older. We are all in our 60s now, or we are. And he
5 needed to set her up for her future, meaning real estate,
6 which is why he had wanted to either -- they were -- he and I
7 had gone over the numbers, because I've rented properties as
8 well. Do they rent the house in Sag Harbor and he just comes
9 down here, or does he sell that house and they take that
10 money and then they have it so that they can live on for as
11 they start getting older.

12 And then he wanted to get involved with doing
13 something down here. So that house basically was their
14 retirement. And he wasn't doing anything with it until his
15 mom passed. But he did want to have the conversation of, I
16 need to rent it. He was having a hard time doing it with
17 her. But John was no longer a New Yorker. He was a
18 southerner.

19 Q. As far as you know, he wanted the Sag Harbor house
20 to provide for Linda's future?

21 A. Yes, absolutely. And it was starting to already,
22 which is why that line of credit was taken out on it.

23 MR. GANDY: Your Honor, I don't have any other
24 questions.

25 MR. KACHMARSKY: I just have one or two.

CROSS-EXAMINATION

BY MR. KACHMARSKY:

Q. Are you aware that Ms. Seaton was made a beneficiary under the IRA? She received moneys outside of the estate directly?

A. A small one, yes.

Q. About 70- or \$80,000?

A. Yeah, I heard that way back when.

Q. You also understood --

A. John had told me -- as a matter of fact, John had told me he set her up with an IRA or something, some sort of a fund.

Q. And you are familiar with the fact that she also owned a house in South Carolina jointly with John?

A. Yes.

Q. She had right of survivorship?

A. Yes.

Q. And that she received that house?

A. Yes.

Q. So she was provided for, as far as you know? Like John said, he did provide for her with the IRA and with that house?

A. Except they didn't want to live up north. They wanted to live down here.

MR. KACHMARSKY: Okay. That's all.

1 MR. GANDY: One follow-up, Your Honor.

2 REDIRECT EXAMINATION

3 BY MR. GANDY:

4 Q. Do you know if he wanted to limit his provisions to
5 Linda, for Linda, to the house in Mount Pleasant and the IRA?

6 A. I'm sorry; I don't understand.

7 Q. Do you know -- did you have any conversation with
8 Mr. Cameron about limiting his providing to Ms. Cameron,
9 Ms. Seaton, through the house in Mount Pleasant and the IRA?
10 Were those going to be his only way to provide for her?

11 A. No. Everything that was John's was Linda's.
12 Everything that was Linda's was John's. It's that simple.

13 Q. Thank you.

14 A. And as a matter of fact, when I came down here, when
15 I came down here and stayed with him a few days, and I know
16 he missed Linda, she was up north, and he was saying she
17 would fly up, or what should he do. So, you know, she said,
18 no, no, no. She was dealing with her son with a personal
19 matter. And he kept saying, my wife, my wife. And then he
20 said, you know, under South Carolina law, he said, we are
21 married, we are married. And but he always called her his
22 wife.

23 MR. GANDY: Thank you, Ms. Salomon.

24 THE COURT: Call your next witness.

25 MR. GANDY: I call Robert Jenkins, Your Honor.

1 ROBERT JENKINS,

2 having been duly sworn, testifies as follows:

3 THE CLERK: For the record, if you will please state
4 your name, spelling your last.

5 THE WITNESS: Robert Jenkins Jr.

6 DIRECT EXAMINATION

7 BY MR. GANDY:

8 Q. Good morning, Mr. Jenkins. How are you this
9 morning?

10 A. I'm great. Thank you.

11 Q. My name is Tripp Gandy. I represent Linda. Do you
12 know Linda?

13 A. Yes, I do.

14 Q. And did you also know Mr. Cameron?

15 A. I do. I did know him, yes.

16 Q. Can you tell the Court how you first met him?

17 A. It was a series of events. I'm an artist in
18 Charleston from Trident Tech College. And I submitted some
19 paintings of mine on to Facebook. And a mutual friend of
20 Linda and myself's recommended that I meet Linda because she
21 is from Charleston and she has a store, a retail outlet in
22 Long Island, Montauk. And so we talked for an amount of time
23 until they came to Charleston, John and Linda came to
24 Charleston. And we finally got a chance to meet after
25 communicating on Facebook and communicating over the phone

1 about an exciting opportunity for me as a new up-and-coming
2 artist.

3 So it was a Saturday afternoon. I finally got to
4 meet Linda in person, who I spoke with. I hadn't met John at
5 a time. But John and Linda came to the school to see my
6 work. And at that time, Linda introduced John as her
7 husband. And they liked my art. We had a nice engagement.
8 Then they left.

9 About few months later, John came down to Charleston
10 to get some of my paintings to take up to New York. And, you
11 know, he was telling me how they had -- you know, they have a
12 house in Charleston -- I mean, a house in Montauk and a house
13 in Long Island and, you know, just exchanging friendly
14 information about each other. I told them about myself.

15 He got the paintings. And there was a bug problem,
16 which was very embarrassing for me. John -- Linda called me
17 and said, Robert, John is really upset, you've got to, you
18 know, you've got to get the paintings. So I called John.
19 John came. And just the series of engagements I had with
20 them, I could see they worked in tandem. Linda was the --
21 she found me as a talent.

22 John did the legwork. John came back and forth from
23 Long Island to Charleston to do things with the business,
24 take care of the dog, take care of the property, and he would
25 go back.

1 So, you know, every indication from how he described
2 her, how he referred to her, how they referred to each other,
3 were husband and wife.

4 Q. He referred to her as his wife to you?

5 A. Yes, because he got the phone call -- Linda said,
6 John said that you can't come there, you cannot come to Long
7 Island. And I said: I don't blame him. I wouldn't want
8 some guy that dresses up as Batman and Superman, I wouldn't
9 want that guy in my house either. I totally understand,
10 Linda.

11 Linda said: Robert, you are a nice man, you know,
12 for being so understanding.

13 I guess maybe I was supposed to be upset about it,
14 but I totally understood John. John told me I was going to
15 be famous.

16 And I don't know what else I can say.

17 Q. That's perfect. So you understood them to be
18 husband and wife?

19 A. I'm sorry?

20 Q. You understood them to be husband and wife?

21 A. That's the way they presented themselves and
22 introduced themselves when I first -- the moment I met John
23 and Linda, the first time, "This is my husband John."

24 Q. That's how they held themselves out?

25 A. Sir?

1 Q. That's how they held themselves out to you?

2 A. Yes.

3 MR. GANDY: No more questions.

4 CROSS-EXAMINATION

5 BY MR. KACHMARSKY:

6 Q. It was Linda that held John out as her husband?

7 A. I have very bad hearing.

8 Q. Just Linda that held John out as the husband?

9 A. What did you say?

10 Q. Linda said that John was her husband, correct?

11 A. Yes, they referred to each other as husband and
12 wife.

13 Q. He referred to her?

14 A. Yes, when he came to the school by his self.

15 Q. Are you sure that he referred to her --

16 A. Well, he talked to my teacher, John Dooley, was
17 telling Richard Dooley about his trip, because I said, John,
18 let me introduce you.

19 Q. Are you sure that he referred to her as his wife?
20 Are you positive?

21 A. I couldn't be more sure.

22 Q. Huh?

23 A. I cannot be more sure.

24 Q. Okay.

25 THE COURT: Anything further?

1 MR. GANDY: One follow-up, Your Honor.

2 REDIRECT EXAMINATION

3 BY MR. GANDY:

4 Q. When Linda referred to John as her husband, he was
5 standing there, correct?

6 A. Yes, at Trident Tech. And it was my teacher, my
7 professor was there at the same time, because I was so proud
8 to have this opportunity, I wanted everybody at Trident Tech
9 to know about it.

10 Q. And he didn't object to that phrase, did he?

11 A. No, he did not.

12 MR. GANDY: Thank you, Your Honor. No more
13 questions. Thank you, Mr. Jenkins.

14 MR. KACHMARSKY: I don't have anything else, Judge.

15 THE COURT: You may step down. You are excused,
16 sir. Thank you.

17 MR. GANDY: I call Michelle Johnson.

18 MICHELLE JOHNSON,

19 having been duly sworn, testifies as follows:

20 THE CLERK: For the record, if you will please state
21 your name, spelling your last name.

22 THE WITNESS: Michelle Johnson, J-o-h-n-s-o-n.

23 DIRECT EXAMINATION

24 BY MR. GANDY:

25 Q. Good morning, Ms. Johnson.

1 A. Hello.

2 Q. I'm Tripp Gandy. Nice to meet you. Do you know
3 Linda?

4 A. I did.

5 Q. Did you know John Cameron?

6 A. I did.

7 Q. Tell the Court where you live.

8 A. I live directly next-door to them.

9 Q. So y'all are --

10 A. In Mount Pleasant.

11 Q. -- next-door neighbors?

12 A. Uh-huh.

13 Q. Yes?

14 A. Yes.

15 Q. Who lived there first? Do you remember who moved in
16 first?

17 A. I do not. I remember them together.

18 Q. How long have you all lived there?

19 A. Nine years.

20 Q. If they moved in about five or six years ago, y'all
21 preceded them, correct?

22 A. Correct.

23 Q. Do you remember how you first met?

24 A. I think I was driving. We have alleyways. I was
25 driving down my alley. And there were people at the house

1 that had been empty. And I was like, hello; hi, neighbor.

2 Q. How did they introduce themselves to you; do you
3 remember?

4 A. John and Linda Cameron.

5 Q. You knew Linda's last name to be Cameron?

6 A. Correct.

7 Q. How did you understand their relationship?

8 A. As a married couple.

9 Q. What do you base that opinion on?

10 A. She gave me a postcard with her number on it and it
11 said: John and Linda Cameron. Call me. We are going to New
12 York, if there's any problems.

13 We've watched their cats, got their mail when they
14 were gone. John and Linda Cameron.

15 Q. Did they hold themselves out as a married couple?

16 A. Absolutely.

17 Q. What was their relationship in your neighborhood?

18 A. As a married couple, like the rest of us.

19 MR. GANDY: Thank you, Ms. Johnson. I don't have
20 any other questions.

21 MR. KACHMARSKY: I don't have anything.

22 THE COURT: All right. You may be excused, ma'am.
23 Thank you.

24 MR. GANDY: I call Linda Seaton, Your Honor.

25 LINDA SEATON-CAMERON,

1 having been duly sworn, testifies as follows:

2 THE CLERK: For the record, if you will please state
3 your name, spelling your last name.

4 THE WITNESS: My name is Linda Seaton-Cameron.

5 DIRECT EXAMINATION

6 BY MR. GANDY:

7 Q. Good morning, Linda.

8 A. Hi.

9 Q. Are you all right?

10 A. It's been a long two years.

11 Q. Take a deep breath.

12 A. I'm okay.

13 Q. There might be some tissue paper up there. I want
14 you to tell us your name, your age and address, please.

15 A. Linda Seaton-Cameron, 5621 Galera Lane, Hibben,
16 Belle Halle, Mount Pleasant, Charleston, our favorite place
17 in the world.

18 Q. Tell the Court how you and John Cameron met.

19 A. Through a mutual friend. And she was an angel. And
20 she died of leukemia soon after we met.

21 Q. When did you all first meet?

22 A. It was 2000, 2001. The mutual friend worked with
23 another mutual friend in a furniture store and she told John
24 about me and told me about John. And I was a corporate
25 flight attendant at the time, so I was traveling a lot. And

1 she told me that he was going to be giving me a call. And it
2 took about a year, but he finally called me. And it was
3 funny because he said he was kind of watching for my little
4 red pickup truck wherever he was for about a year until he
5 finally got up the nerve to call me.

6 Q. He stalked you for about a year?

7 A. He stalked me for about a year.

8 Q. Do you believe y'all first met and got together in
9 late 2000, early 2001?

10 A. I think it was, like, early spring or the beginning
11 of the year of 2000 -- I don't remember the exact -- because
12 we started on the phone, so I can't really remember exactly.

13 Q. Where were you living when y'all first met?

14 A. I was living Quogue, in East Quogue, Long Island,
15 New York.

16 Q. And where was Mr. Cameron living when y'all first
17 met?

18 A. He was living in Manorville, Long Island, New York.

19 Q. How long did you all date before you moved into
20 together?

21 A. It was 9/11 that threw us into each other's arms to
22 move in together because it was such a fright. But we were
23 dating probably six to nine months before that.

24 Q. So you moved in together after 9/11?

25 A. Yes, full-time, yeah.

1 Q. Where did you live together when you first --

2 A. Well, we decided that I would rent my house out and
3 we would live in his house in Manorville because he had to do
4 a drive, commute for a few hours into New York and he worked
5 in four of the five burroughs of New York as a property
6 manager. So it was a closer commute, in other words.

7 Q. How long did you all live in the Manorville house
8 together?

9 A. We lived there about two years before we decided we
10 wanted to build a house together, our house.

11 Q. When y'all first moved in together after 9/11 in
12 2001, did you all stay together continuously until John
13 passed away in July of 2014?

14 A. Absolutely.

15 Q. Never separated?

16 A. Absolutely not.

17 Q. Always lived under the same roof?

18 A. Always.

19 Q. Share the same bedroom?

20 A. Always.

21 (Plaintiff's Exh. 1, Photograph, was marked for
22 identification.)

23 (Plaintiff's Exh. 2, Photograph, was marked for
24 identification.)

25 (Plaintiff's Exh. 3, Photograph, was marked for

1 identification.)

2 Q. I'm going to show you what's first been marked as
3 Plaintiff's Exhibit No. 1 and just ask you to look it over
4 and see if you recognize it. And tell us what it is a
5 picture of.

6 A. This is a picture of me and John when we lived in
7 Manorville. And it had to have been -- he bought me that
8 skirt. I remember he went to Southampton and he surprised me
9 with that skirt because I loved it so much. So we had been
10 going to an engagement party at Eisenhower Park. I don't
11 remember exactly what date it was, but it was in the
12 summertime.

13 Q. Let me show you what's been marked Exhibit Number 2
14 and ask you if you recognize that picture. And if you do,
15 can you tell us what that is a picture of?

16 A. This is our first Christmas in the house we built
17 together. And we had everybody come to our house that year.
18 He was sitting in the middle.

19 Q. Can you tell us some of the people in that
20 photograph?

21 A. Mother Cameron; Mother Cianchetti, my mother; my
22 brother-in-law Joe; my niece Megan; my niece Jackie; Joan
23 Wise, who is John's sister; my dad; my nephew Evan and his
24 girlfriend; my son Michael Antonelli and his wife Susan
25 Antonelli; my nephew Ryan and and his girlfriend; my son

1 Christian and his girlfriend; my nephew Robert Cianchetti; my
2 sister-in-law, who is Robert's mother, is sitting here today,
3 Rhonda Cianchetti; and Joan's husband is at the top of the
4 stairs; and that's Matthew.

5 Q. So both Ms. Cameron and Ms. Wise, who are here
6 today, are in that photograph?

7 A. Yes, they are. And this was our first Christmas, so
8 that had to have been 2003.

9 Q. And let me show you what's been marked as
10 Plaintiff's Exhibit 3 and ask you to identify that picture.

11 A. This is my loving husband with our grandchild.

12 MR. GANDY: Your Honor, I now move these into
13 evidence.

14 THE COURT: Any objection?

15 MR. KACHMARSKY: No.

16 THE COURT: Without objection, they are in evidence,
17 1 through 3.

18 Plaintiff's Exhibit 1 is moved into evidence.)

19 (Plaintiff's Exh. 2 was received in evidence.)

20 (Plaintiff's Exh. 3 was received in evidence.)

21 Q. So how long did you all live in the East Moriches
22 house together?

23 A. Five years, five years shorter than we expected. We
24 thought we would be there 10 years.

25 Q. Tell the Court what went into buying that house and

1 planning for that house.

2 A. Well, John was schooled in architecture from Pratt
3 University. And we decided we were going to have this
4 project together, because I loved design and decorating. And
5 so we asked the builder if -- we saw it being built. And we
6 asked the builder if we could design the whole interior of
7 the house and build a barn in back of it and build a swimming
8 pool. And he said, sure, you caught me at a good time, come
9 in and we will design it to suit. And that's what we did.
10 So we get blueprints made and we built our little barn. We
11 designed it ourselves. It was like a real New England barn
12 in the backyard with special-made doors and things. And I
13 always -- when I was a kid, my favorite story was "That
14 Little House on a Hill". So I said, I wanted the little
15 knoll by the little barn. And it was going to be a cute
16 little place for the kids to come and visit.

17 Q. So y'all worked together --

18 A. Absolutely. It was our project. It was a hands-on
19 project. But then within five years was the crash of 2008.

20 Q. So what happened with the recession in 2008?

21 A. Well, two things were happening at the same time.
22 My husband's business was unraveling in New York. And he
23 went from a very big salary to zero in a matter of weeks.

24 Q. Tell the Court a little bit about John's business
25 and his career, what he was doing from when y'all first met

1 in 2001 until 2008/2009 when you had to sell the East
2 Moriches house?

3 A. Well, John was in real estate. He had partners who
4 were relatives. They were brothers and a father. The father
5 was the head of the business, but John had 60 percent of the
6 business. And his other partner was Robert, who was --
7 Robert Paul, who was always getting people in trouble. And
8 John would come home very stressed at four in the afternoon.
9 He would get up four in the morning, go to work in New York
10 City, drive to four of the five burroughs. He would inspect
11 apartment buildings, HUD housing.

12 We were on the phone. He would call me from a
13 rooftop, elevator is breaking. He was break manager of big
14 buildings in New York.

15 And then 2008 came. And this partner, Robert Paul,
16 kept getting him into all kinds of situations where he was
17 being called to put out fires everywhere. And he kept
18 throwing his cell phone because he was getting so filled with
19 anxiety about what was happening at the office. And things
20 were going on that investigations had to start into things
21 that were happening.

22 I think they found somebody who was an employee was
23 illegally renting out spaces. And there was a lot of -- a
24 lot of underhanded stuff going on that he just got really
25 stressed out. And then the crash of '08 was happening at the

1 very same time.

2 So we realized -- we had a talk and realized that as
3 much as we loved our home, it was no longer going to be
4 practical financially. We had to make a move. And that's
5 when we started looking into Charleston. My son went to
6 Clemson University. He met his bride there. They made a
7 home here. So we started seriously looking into moving
8 quickly.

9 Q. What was the name of his business?

10 A. Name of his business is RMA.

11 Q. What did RMA stand for?

12 A. Residential Management Associates.

13 Q. To your knowledge, did the company ever get
14 investigated by --

15 A. Yes. The FBI actually came to our house, yes.

16 Q. And did RMA at some point in time go out of
17 business, cease to exist?

18 A. It did. It just, gone, poof.

19 Q. Was that about this time period, 2008-2009?

20 A. Yes.

21 Q. What did Mr. Cameron do when his business failed and
22 went out of business?

23 A. Well, he joined me at my store. He basically -- he
24 felt a loss. He felt betrayed by a lot of people. He felt a
25 loss. He felt -- he was in a really bad -- he was depressed,

1 and then more depressed at 9/11.

2 Q. Tell the Court a little bit about what business you
3 were running between 2001 and 2008-2009. What were you doing
4 with yourself?

5 A. Well, when I decided that John and I were going to
6 be a life-long couple, I decided I was no longer going to be
7 a flight attendant traveling around the world. I wanted to
8 stay home and be grounded with two feet on the ground and
9 have our family and grandchildren and my husband.

10 So I thought -- 9/11 had just happened. And I
11 thought, well, what can I do? What do I have a background
12 in? I could do catering. I've done that before. But I also
13 had collected things in my travels. And I wanted to do
14 something because of 9/11, because I felt the grief of the
15 people suffering so much. And John wouldn't let me come into
16 New York to help in any way, said, stay out of New York, you
17 don't want to go there. So I thought, well, maybe I will
18 open a shop and we will celebrate growing up in America.

19 So we named it Whoa, Nellie retro. And we started
20 collecting memorabilia of America and all the good memories.
21 And we were on television, televised with our store, because
22 it was such a great place to come and have a great time and
23 see all the good things that we wanted to share.

24 Q. Where was Whoa, Nellie first located?

25 A. It was first located in Jamesport, which is on the

1 North Fork. That's wine country of Long Island. And we were
2 there for seven years. And that was a year-round store at
3 that time when we lived in East Moriches.

4 And then, if you want me to continue, I will just
5 continue instead of you asking me questions.

6 Q. I would prefer I ask you questions.

7 THE COURT: That's okay. You can continue.

8 THE WITNESS: Okay. So then when everything
9 happened after, you know, with his business and we had to
10 sell that house, we decided that we would move into the Sag
11 Harbor house, which was closer to Montauk. And that's a
12 summer resort. And we said, you know what, we will live in
13 Sag Harbor in the summer and we will move to Charleston. And
14 that's what we did. We started looking seriously here.

15 Q. Do you remember when you all purchased the house in
16 Mount Pleasant?

17 A. It was August, 2009.

18 Q. Okay. And how did you all purchase it? Did you
19 purchase it together?

20 A. Yes.

21 Q. Was the title joint?

22 A. Yes.

23 Q. When you bought the house in August of 2009, was it
24 your intention at that point to make South Carolina your
25 permanent home?

1 A. Yes.

2 Q. It was your true, fixed and permanent home?
3 Whenever you were away from it, you intended to return to it?

4 A. Oh, absolutely.

5 Q. Same hold true for Mr. Cameron?

6 A. Absolutely. As a matter of fact, my neighbors could
7 tell you, we were always upset when we had to leave for some
8 reason.

9 Q. Typically, what time of the year would you be in
10 South Carolina and what time of the year would you be in New
11 York?

12 A. Well, our business was from Memorial Day to Labor
13 Day full-time. And then we would kind of stretch it a little
14 bit to get some weekend business through Columbus Day. So
15 the rest of the year we were in South Carolina.

16 Q. When y'all were living in New York and were
17 residents of New York, what was your relationship? What was
18 your status as far as marital relationship?

19 A. When we were in New York, we were living together.
20 When we started getting up every morning and opening our
21 laptop to our coffee and searching for real estate in South
22 Carolina, I think our relationship was changing.

23 Q. When you were residents of New York, you understood
24 that New York did not recognize common law marriage; is that
25 correct?

1 A. I never thought about it. I wouldn't know that
2 because I didn't even think about it.

3 Q. When you moved to South Carolina and established
4 domicile here in South Carolina, that changed?

5 A. Well, we just considered ourselves married, when we
6 moved into that next page of a relationship, that we were
7 married. I mean, life just went on, but we knew we were
8 married to us. But John also said, well, we are legal here
9 because it is a common law state.

10 Q. Was it your intention to be married?

11 A. Absolutely.

12 Q. Did you hold yourself out as being married?

13 A. Absolutely.

14 Q. How did you refer to Mr. Cameron?

15 A. My husband.

16 Q. When you all first moved into the Mount Pleasant
17 house, was there a cute little story about you and John going
18 into that house the first time?

19 A. Well, after we signed, you know, the title and
20 everything, he wanted to carry me through the threshold. And
21 I was a little heavier than he thought I was. So I kind of
22 fumbled and fell off. But, yeah, our intention was to carry
23 through the threshold as our first home together as a married
24 couple, yes.

25 Q. Let me ask you a little bit about y'all's life

1 together. And let's start off with talking about bank
2 accounts. Did you all have joint accounts or were they
3 separate accounts?

4 A. We had several accounts. And I will tell you, we
5 were not a young couple like we were years ago when we were
6 starting a family. So we were both independent business
7 people. So we really just maintained our own accounts. We
8 just went into them all the time, either/or.

9 Q. So you had separate accounts?

10 A. Yeah, but they were juggled constantly.

11 Q. Who managed the finances for the family?

12 A. John definitely managed when it went to online,
13 because I didn't have any inkling about user name, password,
14 and all the nonsense of online. And he was going to start
15 transitioning to online. So I just said, you take care of
16 it, I'm not going to.

17 Q. So he did access to all your --

18 A. Everything, yeah.

19 Q. Do you know how the bills were paid and that sort of
20 thing?

21 A. Well, if I wanted to pay something personally, like
22 if I wanted to go to the telephone company and pay something
23 or if I wanted to go to Verizon and pay something or
24 whatever, I could walk in and pay something with a check.
25 But if he was doing something online, he would take care of

1 it.

2 Q. Let me back up for a second and go back up to when
3 y'all would go to New York and run the store after you moved
4 to South Carolina. What was John's role then?

5 A. When we would go up to New York from South Carolina?

6 Q. Okay. Yeah. You would go back in the summer
7 months?

8 A. At that point, I felt so bad for him because of his
9 business and he was going through such a tough time
10 emotionally, emotionally. He lost a 25-year career being a
11 head of a massive business. And he was lost as far as:
12 Who's ever going to hire me again; you know, I'm old news.
13 So he became more integral in the store. I made him the head
14 of that store.

15 Q. Did you open up a second location?

16 A. Well, that was in Montauk. Oh, we had -- oh, oh, if
17 you want to backtrack, when we moved to East Moriches, we
18 opened two locations, Montauk and West Hampton Beach. And
19 John managed the West Hampton Beach and I managed the
20 Montauk. And then West Hampton Beach did not prove well.
21 Within nine months, we were closing that store and just doing
22 Montauk.

23 Q. Okay. When the Montauk store opened, was John there
24 a lot?

25 A. He was there every day with me, unless he was doing

1 something else, sure.

2 Q. And did you all -- you owned that company, right?

3 A. I owned it, right.

4 Q. You were 100 percent owner?

5 A. Yes.

6 Q. But John operated it with you on a daily basis?

7 A. Yes. I mean, people thought he owned it. When I
8 went somewhere, they would say, you know, where is -- if I
9 was in the store some day when he was in the store a few days
10 earlier -- it's a tourist community, so you see different
11 people every day. Sometimes they would refer to him as the
12 owner and sometimes me the owner.

13 (Plaintiff's Exh. 4, Copies of checks, was marked
14 for identification.)

15 Q. I'm going to show you what we marked as Plaintiff's
16 Exhibit 4. And it's a -- you tell us what it is.

17 A. This is copies of checks that were paid out from our
18 business.

19 Q. From Whoa, Nellie?

20 A. From Whoa, Nellie, yes.

21 Q. That's checks y'all wrote to suppliers or vendors?

22 A. Yes. So it looks like some of them are in my
23 handwriting and some of them in his handwriting. And he even
24 signed my name on some of them.

25 MR. GANDY: Your Honor, I would like to move Exhibit

1 4 into evidence.

2 MR. KACHMARSKY: No objection.

3 THE COURT: Without objection.

4 (Plaintiff's Exh. 4 was received in evidence.)

5 BY MR. GANDY:

6 Q. Did you all have credit cards together?

7 A. Yes.

8 Q. Do you remember which credit cards you had together?

9 A. American Express was our main one, because he
10 insisted on getting miles for me on that one. And we kept
11 that one also for any emergencies with mother. So she had
12 access to it as well.

13 (Plaintiff's Exh. 5, Copy of American Express
14 card, was marked for identification.)

15 (Plaintiff's Exh. 6, Banana Republic credit card,
16 was marked for identification.)

17 BY MR. GANDY:

18 Q. Let me show you what's been marked as Plaintiff's
19 Exhibit 5 and ask you to identify that, please.

20 A. That's one of our -- copy of one of our cards. Oh,
21 that's Camco Development. My husband had -- we had real
22 estate in the Catskills as well. It was -- my husband had
23 developed another real estate company for a few years. And
24 it was in the Catskills, New York, Margaretville. And we
25 owned an emporium. It was a small anchor building in the

1 middle of town that had a restaurant and seven shops, artisan
2 shops. So this is the American Express for that.

3 Q. It's your card?

4 A. It's my card for that.

5 Q. Let me show you what's been marked as Plaintiff's
6 Exhibit 6 and ask you to identify that as well.

7 A. This is our Banana Republic credit card.

8 Q. The Banana Republic credit card, whose account was
9 it?

10 A. Mine.

11 Q. Mr. Cameron was also a cardholder?

12 A. Yes, yes.

13 MR. GANDY: Your Honor, I would like to move 5 and 6
14 into evidence.

15 THE COURT: Any objection?

16 MR. KACHMARSKY: No objection.

17 THE COURT: Without objection.

18 (Plaintiff's Exh. 5 was received in evidence.)

19 Plaintiff's Exh. 6 was received in evidence.)

20 BY MR. GANDY:

21 Q. Did you all have a safe deposit box?

22 A. Yes, we had a safe deposit box.

23 Q. Did you have that together?

24 A. Yes, we did.

25 Q. You both were on it?

1 A. Yes, we were.

2 (Plaintiff's Exh. 7, Copy of Safe Deposit Box
3 receipt, was marked for identification.)

4 BY MR. GANDY:

5 Q. Let me hand you what's been marked as Plaintiff's
6 Exhibit 7 and ask you to identify that.

7 A. Oh, our safe deposit box.

8 Q. Whose names are on those?

9 A. Linda Seaton and John Cameron.

10 MR. GANDY: Your Honor, I would like to move Exhibit
11 7 into evidence.

12 THE COURT: Any objection?

13 MR. KACHMARSKY: No objection.

14 (Plaintiff's Exh. 7 was received in evidence.)

15 BY MR. GANDY:

16 Q. What about household bills, how do they come to the
17 house in Mount Pleasant? Do you know how they are addressed?

18 A. Here in South Carolina, everything came addressed
19 Linda and John Cameron.

20 (P-8, Bill for lawn maintenance service, was
21 marked for identification.)

22 (P-9, Bill for Belle Hall HOA, was marked for
23 identification.)

24 THE WITNESS: Your Honor, I'm just concerned that --

25 THE COURT: You need to talk to your lawyer.

1 MR. GANDY: Can we take a recess?

2 THE COURT: Sure. Ladies and gentlemen, we will go
3 ahead and take a ten-minute break. I need to remind you, do
4 not discuss this case with anyone. You are still on the
5 stand. Thank you. We will be at recess for ten minutes.

6 (Plaintiff's Exh. 10, AARP membership, was marked
7 for identification.)

8 (Plaintiff's Exh. 11, Copy of letter canceling
9 life insurance policy, was marked for identification.)

10 (Whereupon, a recess transpired.)

11 THE COURT: You may continue.

12 BY MR. GANDY:

13 Q. We were talking about household bills and how they
14 would come to the house. Let me show you what's been marked
15 as Plaintiff's Exhibit 8. See if you can see identify that.

16 A. That's our lawn maintenance care.

17 Q. It's a bill for your lawn maintenance service?

18 A. Here in Mount Pleasant, yes.

19 Q. Who is it made out to?

20 A. Linda and John Cameron.

21 Q. And let me show you what's been marked as
22 Plaintiff's Exhibit 9 and ask you to identify that as well.

23 A. Belle Hall HOA, John Cameron, Linda Cameron.

24 Q. That's a bill for your HOA expenses?

25 A. Yes.

1 MR. GANDY: I would like to move 8 and 9 into
2 evidence.

3 MR. KACHMARSKY: No objection.

4 THE COURT: Without objection.

5 (P-8 is received in evidence.)

6 (P-9 is received in evidence.)

7 BY MR. GANDY:

8 Q. Do you all have any memberships together?

9 A. The preservation downtown.

10 Q.. What about -- let me show you what's been marked as
11 Exhibit 10 and ask you if you recognize that?

12 A. AARP. We joked about that because we weren't that
13 old..

14 Q. Came together? Y'all had joint -- I know they send
15 it to you, but it's the same membership number; is that
16 right?

17 A. Yes.

18 MR. GANDY: I would like to move No. 10 into
19 evidence.

20 THE COURT: Without objection I see.

21 (P-10 is received in evidence.)

22 BY MR. GANDY:

23 Q. All right. Let's just wrap it up and ask you a few
24 more questions about your life together. What about taxes?
25 How did you all file income taxes?

1 A. To be honest with you, I didn't really know. John
2 just -- sometimes I didn't even file.

3 Q. Sometimes you didn't even file?

4 A. John took care of everything.

5 Q. What about life insurance, did you have any? Did
6 you all have any life insurance?

7 A. We did have a life insurance policy, yes.

8 Q. Do you know what amount it was in and what became of
9 the policy?

10 A. It was a \$1,000,000 policy, but the payments were
11 getting pretty hefty for us, so we had a conversation one day
12 when we were trying to thin out some of our expenses. And
13 John looked at me and said, what do you want to do with this?
14 And I said, well, we've got houses, we've got Sag Harbor,
15 we've got Mount Pleasant, you are not going anywhere, so
16 cancel it.

17 Q. Let me show you what's been marked as Plaintiff's
18 Exhibit 11.

19 A. Yeah.

20 Q. What is that?

21 A. That's my husband canceling the policy.

22 Q. Okay.

23 A. January 1, 2012

24 MR. GANDY: I move 11 into evidence.

25 (Plaintiff's Exhibit 11 is moved into evidence.)

1 BY MR. GANDY:

2 Q. Do you know what the fair market value of the Sag
3 Harbor house is?

4 A. Both of our houses are approximately the same
5 amount, about 600,000 a piece. And we were waiting for Sag
6 Harbor to go up a little bit more in order to have savings
7 for us down here so that we could cash in on it.

8 MR. GANDY: I don't have any more questions, but
9 please answer any questions Mr. Kachmarsky has.

10 CROSS-EXAMINATION

11 BY MR. KACHMARSKY:

12 Q. Ms. Seaton, you remember me? We met in New York.

13 A. Yes.

14 Q. I'm going to give you a copy of something and I just
15 want you to identify it for me, please.

16 A. That's my husband's tax return.

17 Q. Okay. On the filing status, box number one,
18 underneath his name and address, what does it say?

19 A. It says single.

20 MR. KACHMARSKY: I would like to mark it Exhibit 1,
21 Respondent's exhibit number.

22 THE COURT: Is it already marked?

23 (Dft. Exh. 1, 2011 Tax return, was marked for
24 identification.)

25 THE COURT: Are you entering that into evidence, Mr.

1 Kachmarsky?

2 MR. KACHMARSKY: Yes.

3 MR. GANDY: No objection, Your Honor.

4 THE COURT: It's in evidence without objection.

5 (Defendant's Exhibit 1 is moved into evidence.)

6 BY MR. KACHMARSKY:

7 Q. And would you identify that for me, please.

8 A. It looks like another income tax return.

9 Q. Which year?

10 A. The first one was 2011. The second one is 2012.

11 Q. On the box under the name and address marked filing
12 status, what does it say?

13 A. Single.

14 Q. Okay. I would like to mark this Exhibit 2, please.

15 (Defendant's Exh. 2, 2012 tax return, was marked
16 for identification.)

17 BY MR. KACHMARSKY:

18 Q. All right. One more tax return. Can you identify
19 that for the Court, please?

20 A. 2013, and it seems to be consistent.

21 Q. US individual tax return for 2013, correct?

22 A. Yes.

23 Q. And the filing status?

24 A. Single, sir.

25 Q. Okay.

1 (Defendant's Exh. 3, 2013 tax return, was marked for
2 identification.)

3 BY MR. KACHMARSKY:

4 Q. Ma'am, would you identify that first page of that
5 document for the Court? Is it an Ameriprise client
6 beneficiary designation?

7 A. Yes, it is, sir.

8 Q. And who is the primary beneficiary?

9 A. I am.

10 Q. And after Linda Seaton, correct?

11 A. Is there a date on this?

12 Q. You need to answer the question I ask you. Does it
13 say Linda Seaton?

14 A. Yes, says 100 percent.

15 Q. What does it say after Linda Seaton?

16 A. Friend.

17 MR. KACHMARSKY: Okay. Mark this as exhibit,
18 please. I'm going to move them all into evidence at one
19 time. Okay.

20 MR. GANDY: May I just lodge an objection to Exhibit
21 4, if he's going to move it into evidence. Objection is this
22 is on the grounds of relevance. This is a 2006 document,
23 which would be when they were residents of New York.. So
24 putting down "friend" is what it has to be. So it's
25 irrelevant to the issue of whether or not he held himself out

1 that in South Carolina.

2 THE COURT: Okay. Subject to your objection.

3 (Defendant's Exh. 4, Ameriprise client beneficiary
4 designation, is moved in evidence.)

5 BY MR. KACHMARSKY:

6 Q. Would you turn to page 3 of that document, please.
7 Do you recognize the handwriting on that? Is that John's
8 handwriting down halfway?

9 A. It's his signature.

10 Q. Okay. What about the handwriting above it?

11 A. It could be, sure.

12 Q. And this is where somebody in the application --
13 where he's designating the beneficiary; is that correct?

14 A. Yes, sir.

15 Q. And who is the beneficiary?

16 A. I am.

17 Q. And under where it says relationship, what does it
18 say?

19 A. At the bottom, it does say single, yes, in '06.

20 Q. Does it not say that your relationship is that you
21 are a friend? Do you see that?

22 A. Yes, yes.

23 Q. Okay.

24 MR. KACHMARSKY: I don't have anything else from
25 this witness.

1 MR. GANDY: No redirect, Your Honor.

2 THE COURT: Can I ask you a quick question? How is
3 the Sag Harbor house titled?

4 MR. GANDY: Just in Mr. Cameron's name.

5 THE COURT: When did he acquire that house?

6 MR. KACHMARSKY: We are going to offer some
7 testimony about that. It was originally Mrs. Cameron, her
8 house, and then there were a couple of deeds as Ms. Wise --

9 THE COURT: So she can testify to that? Okay. I
10 want to make sure we weren't leaving that out. Okay. You
11 can step down.

12 MR. GANDY: Your Honor, I call Arun Drummond.

13 ARUN DRUMMOND,
14 having been duly sworn, testifies as follows:

15 THE CLERK: Sir, for the record, if you will please
16 state your name, spelling your last name.

17 THE WITNESS: Arun. Do I need to spell it also?

18 THE COURT: D-r-u-m-m-o-n-d?

19 THE WITNESS: My first name has a unique spelling,
20 A-r-u-n.

21 THE COURT: Thank you. I appreciate it, sir.

22 DIRECT EXAMINATION

23 BY MR. GANDY:

24 Q. Good morning, Mr. Drummond. I'm Tripp Gandy. Thank
25 you for being here.

1 A. Sure.

2 Q. Can you tell us where you live, please, and what
3 business you are in?

4 A. I live downtown Charleston on 11 Hanover Street. I
5 manage an art gallery for the prominent artist Jonathan
6 Green. Done that for 11 year.

7 Q. What is the name of the art gallery?

8 A. The Chuma Gullah Gallery.

9 Q. Do you know Linda?

10 A. Yes.

11 Q. Did you know John Cameron?

12 A. I did.

13 Q. Can you tell the Court how you first met them?

14 A. So, it's through the business, through the gallery.
15 We had a different location when I first met Linda and John.
16 That was on John Street. And it was when they came in. And
17 I want to say -- the furthest back that I remember is in at
18 least 2010, it could be prior to that, when they came in and
19 purchased art from us for their shop in Montauk. We would
20 sell them art wholesale for them to resell in their place.

21 Q. Do you remember anything about how they held
22 themselves out as far as a couple?

23 A. I always assumed they were married. Never asked.
24 Never had a reason to.

25 Q. Did you ever hear them introduce each other as each

1 other's spouse or anything like that?

2 A. No, I don't think so. I don't think we were ever in
3 a position where we had to make introductions.

4 Q. As far as you were concerned, their reputation to
5 you was that as husband and wife?

6 A. Yes.

7 MR. GANDY: No further questions for Mr. Drummond,
8 Your Honor.

9 THE COURT: Anything, Mr. Kachmarsky?

10 MR. KACHMARSKY: I don't have any questions.

11 THE COURT: You are excused, sir. You are fine.

12 MR. GANDY: Your Honor, plaintiff has no further
13 witnesses.

14 THE COURT: Okay. Do you want to go ahead and --
15 obviously, we will reserve motions. Since it's being bench
16 tried, I can consider everything and we will just go from
17 there.

18 Mr. Kachmarsky, I will hear from you.

19 MR. KACHMARSKY: We call Ms. Wise.

20 JOAN WISE,

21 having been duly sworn, testifies as follows:

22 THE CLERK: For the record, if you will please state
23 your name, spelling your last name.

24 THE WITNESS: My name is Joan Wise, J-o-a-n,
25 W-i-s-e.

DIRECT EXAMINATION

BY MR. KACHMARSKY:

Q. Where do you reside?

A. I reside at 447 East 14th Street, New York, New York.

Q. What is your relationship to John Cameron?

A. John was my brother.

Q. Can you tell the Court about when John passed away, what you did in terms of probating his last will and testament?

A. We contacted the lawyer that he filed his will with. And we took the will and actually transferred it to another law firm that we wanted to work with. And let them, you know, do what the next step was.

At first Linda did not know where the will was, so we thought she might have it, and she didn't. She had no idea where any of the papers were. So we started thinking. And I recalled the attorney that he had worked with. And I called him and he said he had the will.

Q. Okay. So it was transferred to another attorney, is that what your testimony was?

A. Yes.

Q. I'm going to give you a copy of the death certificate. I'm going to ask this be marked as an exhibit two.

1 (Defendant's Exh. 5, Death certificate, was marked
2 for identification.)

3 BY MR. KACHMARSKY:

4 Q. Do you know who provided the information to produce
5 the death certificate?

6 A. It was my assumption that Linda Seaton provided this
7 information. I received this death certificate through the
8 funeral director.

9 Q. Okay. And where does it state in the death
10 certificate -- where does it state that Mr. Cameron is a
11 resident of at the time of his death?

12 A. Says New York.

13 Q. What county?

14 A. Suffolk County.

15 Q. Is that where the house is in Montauk?

16 A. It's actually in Sag Harbor, which is a different
17 town from Montauk.

18 Q. So at the time that you went to the attorney's
19 office, you gave him this document, correct?

20 A. Yes.

21 Q. And you also had the last will and testament --

22 A. Yes.

23 Q. -- sent over as well?

24 A. Yes.

25 Q. Take a look at this and tell me if this is a copy of

1 the will that you eventually came to know as his last will
2 and testament, and if that's the document that was sent over?

3 A. Yes, this is it.

4 (Defendant's Exh. 6, Last will and testament, was
5 marked for identification.)

6 BY MR. KACHMARSKY:

7 Q. Do you recall anything else you sent over to the
8 attorney's office other than the will and the death
9 certificate?

10 A. No.

11 Q. And based on the documentation that you provided to
12 the attorney, what did they advise you to do in terms of
13 probating the estate?

14 A. That we would just move forward and that my mother
15 was named as the executor and that she would get a letter
16 stating that to that effect.

17 Q. And to the best of your knowledge, at that time, did
18 you believe that he was a resident of New York?

19 A. Absolutely. I had no reason not to think so. I had
20 never seen any document that suggested he did not live in New
21 York. I never saw his driver's license or his tax returns or
22 anything.

23 Q. So the tax returns that I entered into evidence
24 earlier, those were something you obtained after the fact?

25 A. Correct. We had to actually pursue that. The

1 accountant would not return our calls. So it was my
2 impression that since he also worked on Linda's taxes, that
3 she may have asked him not to speak to us. And so the
4 attorney had to subpoena the documents to get them.

5 Q. So at the time of his death, where did he die?

6 A. He died in the driveway of 35 Sylvan Lane.

7 Q. And that's in New York?

8 A. Uh-huh, yes.

9 Q. Is that the house that he owned?

10 A. Yes.

11 Q. And on the last will and testament that I showed you
12 previously, did you notice -- does it say where he's a
13 resident of in the will?

14 A. New York.

15 Q. So you proceeded with this probate proceeding and it
16 was your understanding that he was resident of New York at
17 that time?

18 A. Absolutely.

19 Q. And the surrogate court, are you aware of what their
20 finding was in terms of where he was a resident?

21 A. They said that he was a resident of New York.

22 Q. Are you aware of anybody contesting his residency
23 there?

24 A. Just Linda.

25 Q. I mean, has she made any formal petition in the

1 court to contest that finding, that you are aware of?

2 A. No, not aware of it.

3 Q. She has appeared; is that correct?

4 A. We have proceeding regarding the house, an eviction
5 proceeding so that the house could be sold. And she has
6 appeared at all of those hearings.

7 Q. Tell me what's going on with the house in New York.

8 A. Originally, we were told by the attorney that Linda
9 said on the phone that she wasn't living there.

10 MR. GANDY: I lodge an objection from the hearsay
11 from the lawyer in New York.

12 THE COURT: Okay. Sustained.

13 BY MR. KACHMARSKY:

14 Q. You are not allowed to say what the lawyer said.

15 A. Okay.

16 THE COURT: Rephrase your question, Mr. Kachmarsky.

17 BY MR. KACHMARSKY:

18 Q. I'm talking about the proceedings that are going on,
19 ongoing proceedings regarding who is living in the house.

20 A. Linda is living in the house.

21 Q. How long has she been living in the house?

22 A. She's been living there since John died.

23 Q. What were -- were there any agreements made that she
24 was supposed to carry a cost or anything like that?

25 A. Yes. She agreed to pay the carrying charges while

1 living there, which involved the homeowner insurance and the
2 equity loan payments.

3 Q. And has that occurred?

4 A. No.

5 Q. And what actions have you taken as a result of that
6 not occurring?

7 A. We continued to follow up with the action to remove
8 her from the house. And she has since agreed to vacate. And
9 she's admitted in an affidavit that she can't afford to pay
10 those carrying charges and that she's willing to move out so
11 that it can be sold. However, she has not done so and has
12 objected to every action that has been taken.

13 The last 10-day notice that was issued, on the 10th
14 day, she went and got a stay. And it's now delayed again.
15 And we are waiting for a judgment on that eviction so that
16 the house can be sold and money used to pay back this loan
17 that the principal comes due in September.

18 THE COURT: Who's been paying the taxes on that
19 property?

20 THE WITNESS: I think Ms. Seaton will agree with me
21 that she paid one payment, a half of a year, but we have paid
22 the rest. And we've paid all the carrying charges and all
23 the insurances. And this my mother has done with her
24 personal savings. There's no cash in the estate.

25 BY MR. KACHMARSKY:

1 Q. Does your mother have any personal savings left?

2 A. She does.

3 MR. GANDY: Objection to relevancy, Your Honor.

4 THE WITNESS: But she's elderly and we are very
5 concerned about being able to continue on like this. It's a
6 drain.

7 BY MR. KACHMARSKY:

8 Q. Are you familiar with two letters that were sent to
9 Ms. Seaton by your attorneys?

10 A. Yes, I was aware that they notified her with two
11 letters, yes.

12 Q. They just let her know that the proceedings were
13 ongoing?

14 A. Yes.

15 Q. That was actually before your mother was appointed;
16 is that correct?

17 A. I am not certain on the dates.

18 Q. Okay. How were you notified of John's death?

19 A. I was at the beach, at the Jersey Shore, and I got a
20 phone call on my cell phone that showed the Sag Harbor
21 number. And I thought it was my brother. And I picked it
22 up, answered it. And Rhonda, her -- Linda's sister-in-law,
23 was on the phone.

24 Q. Do you know Rhonda's last name?

25 A. Cianchetti, I believe.

1 Q. She hasn't been here today? You haven't seen her?

2 A. I haven't seen her today. I was a little surprised
3 because I don't have a relationship with Rhonda other than
4 just knowing who she is. I met her a few times. And then
5 she told me about John collapsing in the driveway and that he
6 was deceased.

7 At that moment, I was obviously shocked. And I
8 didn't know what my responsibility was as his sister. And it
9 seemed like they were in control of everything, and was just
10 telling me, you know, like notification, like, we are just
11 letting you know. And I said, well, what's the next step
12 here? And there was a pause. And I said, Rhonda, is Linda
13 married to John? And she said --

14 MR. GANDY: Your Honor, I object to what Rhonda told
15 her.

16 THE COURT: Okay. Sustained. Yeah.

17 THE WITNESS: That's what I said, yeah.

18 BY MR. KACHMARSKY:

19 Q. Did you hear Linda in the background?

20 A. I did.

21 Q. Did you hear what she said?

22 A. Yes. She said, no, but we signed things for each
23 other.

24 Q. Okay. Let's talk about the Sag Harbor house
25 ownership. Tell me when it was originally purchased, to the

1 best of your ability.

2 A. Okay. In 1967, it was -- the deed listed my mother
3 and father as the owner of that house. In 2002, my mother
4 signed it over to my brother with a life trust.

5 Q. She reserved the life estate in the house, to the
6 best of your knowledge?

7 A. Yes, life estate.

8 Q. And then was there another transfer made?

9 A. In 2006, there was another change, a bargain and
10 sale deed, and my mother's name was removed. And no other
11 name was added, just John's name.

12 Q. Okay. Are you familiar with when the original deed
13 reserving the life estate, when that was done? Was the will
14 done at the same time?

15 A. I'm not sure of the two dates.

16 Q. Pretty close in time, as far as you know? You don't
17 remember?

18 A. I don't know.

19 Q. Do you know why the house was changed from the life
20 estate deed into just his name?

21 A. Yes. Right after that change, John took out a
22 credit line of \$300,000 through Citibank.

23 Q. Do you know why he took that out?

24 A. It appeared to me that it was to purchase the Mount
25 Pleasant house.

1 Q. Okay. And to the best of your knowledge, that's
2 what a large portion of the money was used for?

3 A. Yes, because the money disappeared. And the Mount
4 Pleasant house is where I would assume he used it.

5 Q. Tell me about your relationship with John, brother
6 and sister. How many years apart are you?

7 A. Three years apart.

8 Q. Tell us about it, your relationship.

9 A. John and I were very close ever since we were very
10 little. We maintained a close relationship through our
11 entire adult lives. We spent tremendous amount of time
12 together in the summer at his homes. And, you know, we loved
13 each other very much. And I even worked for John for a short
14 period of time at Residential Management. And he was a great
15 brother.

16 Q. Okay. Did you spend a lot of time also speaking
17 with him on the telephone?

18 A. I did. And at one point, it appeared that the
19 closeness that John had with me and his mother started to
20 irritate or create some friction for Linda. I think it
21 appeared to me that she was jealous and that she didn't want
22 us around as much.

23 And there was an instance where, July 4 party, John
24 asked us to come over, as we always would in the summer for a
25 party. And she called me to let me know --

1 Q. That was over to the house on Sag Harbor?

2 A. No, this was at the East Moriches home. And she
3 told me that the party was just for her family and that to
4 please not come. And I said, okay, I understand, that's
5 fine. We visit a lot and it's not a problem. But it was a
6 red flag at that moment. And I knew that there was some --
7 an issue.

8 And so from that point forward, we backed away a
9 little bit from John to give him some space. I did not want
10 to cause friction and unhappiness for him with his
11 girlfriend. And I wanted him to have that relationship if it
12 made him happy. And I maintained contact in other ways. I
13 saw him when he came to visit my mother. She never
14 accompanied him on any of those visits, so she probably
15 didn't even know that I saw him.

16 He would come into New York City, especially when he
17 was traveling from Charleston to Sag Harbor. He would travel
18 through Manhattan and he would come by and he would visit
19 with her. And if I wasn't at work, I would come over and we
20 would have visits.

21 I spoke to him frequently on his cell phone. And
22 even up until his death, we were in contact. And last thing
23 he did for me was to locate a statue that was in the basement
24 of the Sag Harbor house that my son had an interest in
25 because of some art history work he was doing. And he packed

1 that up and he sent it to me. And he was happy to do it. It
2 was quite a heavy statue. And it was a great favor to me.

3 And I -- you know, I did have, in those last years,
4 always information through my mother and through
5 conversations as to what was going on with him. And it was
6 never my understanding that the relationship that he had with
7 Linda had changed into any kind of a marriage. And he never
8 represented himself to me as being married.

9 Q. Had he been married?

10 A. He was. He had an 11-month marriage to Nancy Ruben.
11 And he was devastated when that didn't work out and vowed
12 never to get married again. And he was not interested in
13 marriage, as far as every conversation I ever had with him.
14 And he didn't want to get married.

15 Q. Did he make any specific comments about marrying
16 Linda Seaton?

17 A. He never told me he wanted to marry Linda.

18 Q. Did Linda ever make any comments to you about
19 wanting to be married to John?

20 A. Yes, yes. Yes, she did. And I know she wanted to
21 be married. I know this was important to her. She did
22 express that. There was an instance where we were all
23 sitting at the table in the East Moriches house. And she
24 took out a cubic zirconia, large ring, and said, look, look,
25 look what I have. And it was a big sort of -- I don't want

1 to say joke, but it was kind of funny. And at the same time,
2 surprising. And we said, are you engaged? And John said,
3 no. And she said, I'm just going to wear this.

4 I think she did wear it a little bit, but I don't
5 recall her wearing it often after that. I really don't
6 recall seeing it on her. But it was clear to me that she did
7 want to be married. And she felt this was something that she
8 wanted him -- she was pushing for it. She wanted him to
9 marry her. And I had the impression that he wanted to keep
10 peace and he wanted to keep her happy, so he wasn't going to
11 make a fuss about resisting what he was saying about getting
12 married or being married.

13 Q. And if she brought it up, he would just shake his
14 head; is that what you are saying?

15 MR. GANDY: Objection to leading, Your Honor.

16 A. Well, he took it lightly. And he didn't get upset.
17 He didn't reprimand her or anything, but he did not affirm
18 it. He never affirmed it to us. So I had never had any
19 reason to believe it.

20 Q. Okay. As far as his accounts and everything, are
21 you aware of Linda Seaton putting John's name on any accounts
22 or things that she owned?

23 A. Well, it appears that she kept her real estate
24 holdings in her name with her mortgage. When I looked over
25 all the papers after I went through John's paperwork, her

1 real estate holding in East Quogue, which, by the way, is a
2 very small, quaint home, and that's why she moved into the
3 Manorville home, because it was a -- at least a four-bedroom
4 colonial. She kept her things separate. She was allowed to
5 spend off his American Express card very generously, but she
6 kept her things separate. And he had all of his things
7 pretty much separate.

8 For example, the car insurance, John had multiple
9 vehicles. I don't ever really recall her ever driving one of
10 them. I never saw her driving one of them. She may have,
11 but I never saw her. But I know she was not a designated
12 driver on any of the insurance for his cars. And she
13 maintained her own insurance. So the automobiles were kept
14 separate. The bank accounts were kept separate. They did
15 not share things like a married couple would do.

16 The way they presented themselves to my family, you
17 know, was a couple who they were involved, but they wanted
18 that door open so that they could walk away from each other
19 if that came up and that's what they wanted to do later. And
20 that was always my understanding of their relationship.

21 Q. He never expressed any desire to be married to Linda
22 to you?

23 A. No, never.

24 Q. Would you identify that document to the Court,
25 please?

1 A. This is the title for 561 Galera Lane, Mount
2 Pleasant, South Carolina.

3 Q. Is this the property that was jointly owned in South
4 Carolina by John and Linda?

5 A. Yes.

6 Q. What date is it dated? Look on the third page.

7 A. It's notarized on page -- well, page 3. I have no
8 page 3. Oh, okay. Page 4 it's notarized October 10th, 2013.
9 Are we looking at the same thing?

10 Q. You can look on the second page.

11 A. Oh, that's the expiration, I'm sorry, of the notary.
12 Sworn to me this 17th day of August, 2009.

13 Q. Okay. 2009. So as far as you know, this is when
14 the house was actually purchased; is that right?

15 A. Correct..

16 Q. And who is the deed from and who is it to? You can
17 look on the first page.

18 A. Well, it's the State of South Carolina.

19 Q. Do you see Santee Carolina, LLC?

20 A. Oh, yes, yes, Santee Carolina, LLC.

21 Q. Grantor?

22 A. John T. Cameron and Linda Seaton.

23 Q. Linda Seaton?

24 A. That's correct.

25 Q. Not Linda Cameron?

1 A. That's correct.

2 (D-7, Deed, was marked for identification.)

3 BY MR. KACHMARSKY:

4 Q. Do you have any personal knowledge of John's
5 financial situation in the latter part of his life?

6 A. Well, he was doing fairly well while he was working
7 for Residential Management. The company folded because they
8 lost all their accounts from the Archdiocese of New York.
9 They lost their accounts because the Archdiocese of New York
10 determined there were some irregularities and improper
11 spending of certain things that -- you know, maintenance of
12 buildings were getting violations. And they were unhappy
13 with the way Residential was handling things. I believe they
14 felt they were making too much money and not spending enough
15 money on the property. The business basically folded because
16 it lost all its accounts.

17 And after that, the real estate market dropped. And
18 I think John took a loss on the East Moriches sale. But he
19 still had money in the account, and it slowly dwindled away.
20 And it was, according to what I saw in documents from
21 American Express, a lot of it was being poured into inventory
22 at the store. And the store was now pulling back profits.
23 And --

24 Q. When you mention "the store", are you talking about
25 Whoa, Nellie?

1 A. Yes, Whoa, Nellie, the inventory, he was paying on
2 American Express it looked like \$5,000 a month for inventory.
3 And there were a lot of expenses on that American Express for
4 a lot of different things. Artwork, obviously, I could see
5 that was purchased for the store. And it was a pretty hefty
6 hand. But, you know, I don't know what Linda was
7 contributing to the household. And that's another thing. As
8 a couple, there wasn't that working together as a unit as a
9 married couple.

10 Q. Are you aware, did he ever charge her rent to live
11 in the house in New York?

12 A. She was actually paying him rent for space to store
13 Whoa, Nellie merchandise in Sag Harbor. And there were all
14 these checks written "rent to John". And there was also
15 checks written for a loan repayment that he had lent her
16 money and she was repaying him with the checks for a loan,
17 which I thought when I saw that, it's not what married people
18 do.

19 Q. What, based on conversations that you had with John,
20 what was their relationship like? Did they get along well
21 or --

22 A. They had their good times, but they also fought a
23 lot. And they went their separate ways a lot. They spent a
24 lot of time apart doing their own thing. She traveled with
25 her friends. She had good times. He would always drive to

1 Charleston. I think she was the one flying. They were not
2 together. And a lot of that time that they were together was
3 not imposed upon them by circumstances. There may have been
4 instances where circumstances did, but a lot of it was
5 optional. And it was just that freedom of coming and going
6 as they pleased, not like a married couple that I would know,
7 or myself.

8 And she just, you know, her hours working at the
9 store, she would stay very late, come home. When my mother
10 was staying with John, she told me that Linda would come home
11 at midnight from the store in Montauk. And I don't know why
12 the store would be open that late, but that's -- you know, it
13 was never really a problem for either of them.

14 Q. Anything else you've got to say about the
15 relationship between them?

16 A. Just, like I said, seemed like they both wanted to
17 have an out if they wanted to walk away from one another. I
18 think Linda was more committed than John in that she was less
19 likely to want to take that option, but I think John wanted
20 his options open. And I don't think he ever thought that he
21 was putting himself in this situation that we find ourselves
22 in here today.

23 I think that his intention was always that my mother
24 would get the Sag Harbor residence back if anything ever
25 happened to him because she was the beneficiary for his life

1 insurance. She was the beneficiary. I found that policy.
2 And I called them and, yes, he did cancel it shortly before
3 he died, unfortunately. And I don't recall it being a
4 million dollars. It was much less, but it listed my mother.
5 And he was going to ensure that she was cared for if she
6 needed an aid or any kind of nursing and by taking his
7 inheritance during, you know, her life, which was the equity
8 that she had to protect her.

9 He promised us and my family that my mother would be
10 taken care of. And that's why I think this will is the
11 instrument that John wanted to do that.

12 MR. KACHMARSKY: Okay. I don't have any other
13 questions. If you will answer Mr. Gandy's questions.

14 THE COURT: Mr. Gandy.

15 CROSS-EXAMINATION

16 BY MR. GANDY:

17 Q. Good afternoon, Ms. Wise. Nice to see you again.
18 We met in Charleston. I just have a few questions for you.
19 I wanted to ask you first about Defendant's Exhibit 5, which
20 is the death certificate. And your testimony was that you
21 assumed the information on here came from Ms. Seaton; is that
22 what you testified to?

23 A. Yes, because I received the death certificate from
24 the funeral director. And Ms. Seaton, I believe, dealt with
25 the coroner, because the coroner told me about what went on

1 there and how she insisted that she be given the remains.
2 And the fact that I got the call at 2:30 in the afternoon, I
3 knew that something had gone on between that time. And they
4 told me they went through great lengths to explain to her she
5 was not next of kin.

6 Q. Yeah. They told you that she was not next of kin
7 and that they would have to get the information from your
8 mother, who was the next of kin; is that correct?

9 A. I don't recall that. I'm sorry. I do not recall
10 that.

11 (Plaintiff's Exh. 12, Suffolk County Medical
12 Examiner's report dated October 28, 2014, was marked for
13 identification.)

14 BY MR. GANDY:

15 Q. I show you what's been marked Plaintiff's Exhibit
16 12. And it's the Suffolk County Medical Examiner report
17 dated October 28, 2014. Read the first sentence and tell me
18 what Linda Seaton represented herself to the medical examiner
19 as, where it says: Called and spoke with decedent's common
20 law wife?

21 A. Says common law wife of 14 years, but it's in
22 quotes, Mr. Gandy.

23 Q. I understand. But would that not indicate to you
24 that she indicated herself to the examiner as common law
25 wife?

1 A. Oh, 100 percent she did. Yes, absolutely.

2 Q. In fact, when you were speaking with Ms. Rhonda
3 about whether they were married or not, did not Linda say in
4 the background, yes, we live in South Carolina, we are common
5 law married?

6 A. No, she did not.

7 Q. Okay. Looking again at Exhibit 12, does it not
8 appear that Ms. Seaton gave the medical examiner your
9 mother's phone number and he indicated that he called her for
10 the information but there was no answer?

11 A. This is what Linda said to me, but the coroner did
12 not call my mother or leave a message. At the time there was
13 no answering machine. So we wouldn't know if the coroner
14 did. However, we reached out to the coroner and they said,
15 we were waiting for you to call.

16 Q. Right. The coroner said the information has to come
17 from the next of kin, who the coroner viewed as your mother;
18 is that right?

19 A. Yes.

20 MR. GANDY: I would like to move Exhibit 12 into
21 evidence.

22 THE COURT: Without objection?

23 MR. KACHMARSKY: None.

24 (Plaintiff's Exh. 12 was received in evidence.)

25 BY MR. GANDY:

1 Q. Did you ever visit John and Linda in South Carolina?

2 A. No.

3 Q. This is your first trip to South Carolina?

4 A. Yes, it is.

5 Q. Were you not constantly invited to come visit in
6 South Carolina?

7 A. My brother asked me to come down. And he said,
8 please, come down and see me, but he never gave me a specific
9 date as to when this should occur. I work. And I knew that
10 if I continued to visit the way we used to, that he was going
11 to have problems with Linda. She was not going to like it.

12 Q. You are a school teacher, correct?

13 A. Yes.

14 Q. So you have the summers off, correct?

15 A. Yes.

16 Q. So you can come down any time in the summer?

17 A. My husband does not work in a school. And I also
18 have a son. And their schedule does not allow me to just
19 take the summer off, like people may imagine.

20 And during the summer, I also have done course work
21 and professional development. I do not just spend the whole
22 summer doing nothing.

23 Q. I understand. But, nevertheless, you never visited
24 them in South Carolina?

25 A. No, I did not.

1 Q. You don't know what their reputation as a couple is
2 in South Carolina?

3 A. No, I do not.

4 Q. When was the last time you visited them at Sag
5 Harbor house?

6 A. We did not visit at the Sag Harbor house at all.

7 Q. When they moved in and made it permanent?

8 A. That's correct.

9 Q. Did you not get upset by that?

10 A. Did I not get upset by not visiting?

11 Q. No. Did you not get upset they moved in permanently
12 to the Sag Harbor house?

13 A. No, because I knew he had nowhere to go. And I
14 understood this. And we spoke about this on the phone before
15 he moved in. I was happy to leave. We had spent many
16 summers out there. My son was getting older and he was
17 bored. He had no friends out there and nothing to do most of
18 the day. And I knew this was the end anyway. It was natural
19 ending to this. So it was fine. We were ready to go.

20 Q. So you never visited them at Sag Harbor after 2009?

21 A. No.

22 Q. That's correct?

23 A. Correct.

24 Q. Only time you would see your brother would be --

25 A. In the city.

1 Q. -- in the city when he was visiting your mother?

2 A. That's correct.

3 Q. Why would you expect that he would tell you he's
4 married? Did he owe you an obligation to tell you he was
5 married?

6 A. I think if I'm close to someone, yeah, that's a big
7 deal. But, no, he never said it. I don't feel like it's an
8 obligation. I think it would be just an important statement
9 of something happening in his life, if that were the case.

10 Q. You mentioned earlier about paying property taxes.
11 Is it not, in fact, fact that Linda Seaton paid all the
12 property taxes on that Sag Harbor house since John passed
13 away?

14 A. No, it's not true. We've made payments. There was
15 one check returned to me for half a payment that was overdue.
16 And I assumed she paid it because the check came back to me.
17 But we paid others. And there's -- we paid the first half.

18 Q. Did she not pay the property taxes for the Sag
19 Harbor house for the tax year 2015?

20 A. I did not get the tax bill. She may have. If she
21 can document that she did, I'm not going to dispute that.

22 Q. Did you and John not have a falling out?

23 A. John and I did not have a falling out. I had an
24 argument with Linda.

25 Q. What was the argument about?

1 A. The argument -- and it was only one, one argument,
2 and it was in the Sag Harbor house. It related to meddling
3 in my sister's personal business and her relationship with
4 her son.

5 Q. That's your sister Barbara, John's other sister,
6 correct?

7 A. Yes. And I told Linda that she was not a family
8 member, this was a family matter, and that she should not be
9 involved in this issue.

10 Q. Did Linda get up and leave the table?

11 A. She did.

12 Q. Did John get up and leave the table as well?

13 A. We weren't sitting at the table.

14 Q. Did John leave the room in support of Linda?

15 A. After she ran out to the car, because she obviously
16 was going to sit out there, yes, he followed her and then
17 they left.

18 Q. In support of Linda?

19 A. I'm not going to say in support of Linda. He went
20 with Linda. They were going home together.

21 Q. All right. You have a son Matthew; is that right?

22 A. I do.

23 Q. How old is Matthew?

24 A. Matthew is now 20 years old.

25 (Plaintiff's Exh. 13, Thank-you card, was marked

1 for identification.).

2 BY MR. GANDY:

3 Q. I'm going to hand you what's been marked as
4 Plaintiff's Exhibit 13. Is this not a thank-you card from
5 Matthew to John and Linda thanking them for a graduation
6 gift?

7 A. Yes, it is.

8 Q. How does he refer to Linda in that?

9 A. He refers to Linda as Aunt Linda.

10 MR. GANDY: Thank you. I would like to move 13 into
11 evidence.

12 (Plaintiff's Exh. 13 was received in evidence.)

13 A. My son refers to --

14 BY MR. GANDY:

15 Q. There are no questions, Ms. Wise.

16 When you were going through John's American Express
17 bills and stuff after he passed away, these are just
18 assumptions that you are continuing with as far as money
19 being spent on the store and this sort of stuff? I mean, you
20 have no firsthand actual knowledge? This is your
21 interpretation of those bills?

22 A. Well, the vendors are clearly candy and art and
23 objects that are in the store.

24 Q. I understand that. But my question is, you don't
25 know that John wasn't reimbursed or the store didn't pay the

1 American Express bills? You don't know anything other than
2 what showed up on that American Express card?

3 A. Well, she did also submit tax returns for the store
4 which did not show a profit. And in addition, John told me
5 that the store was not bringing in money. And for quite some
6 time, he wanted to close that store. He felt it was just a
7 loss.

8 Q. Do you not know that the store was paying him rent
9 for the Sag Harbor house, that money was being -- going from
10 the store to John? Do you not understand the question?

11 A. No. I think -- so you are saying that those checks
12 were from the store? Clarify.

13 (Plaintiff's Exh. 14, Check Register from Whoa,
14 Nellie, was marked for identification.)

15 BY MR. GANDY:

16 Q. I'm going to show you what's been marked as
17 Plaintiff's Exhibit 14. And I'm going to represent to you
18 this is a check register from Whoa, Nellie. And ask you, for
19 3371 at the top left-hand corner, first of all, is that your
20 brother's handwriting?

21 A. Yes.

22 Q. And can you tell what -- just read to the Court --

23 A. It says: Storage fee to John Cameron.

24 Q. Below that says Sag Harbor?

25 A. Right.

1 Q. And it says in the amount of \$1,400?

2 A. Right.

3 MR. GANDY: I would like to move 14 into evidence.

4 THE COURT: It's in evidence.

5 (Plaintiff's Exh. 14 was moved into evidence.)

6 Q. Currently, you do have an eviction proceeding
7 against Linda in the Sag Harbor house; is that right?

8 A. Correct. We need to sell the house so that the
9 estate is not hemorrhaged any further than it is.

10 Q. That has been ongoing since late 2014, correct?

11 A. Correct.

12 MR. GANDY: Your Honor, I don't have any other
13 questions.

14 THE COURT: Anything further, Mr. Kachmarsky?

15 MR. KACHMARSKY: No, Your Honor.

16 THE COURT: You may step down now.

17 MR. KACHMARSKY: Your Honor, I just want to make
18 sure I do this the right way. I'm of the belief that the
19 dead man's statute precludes Ms. Seaton and Ms. Cameron
20 basically from most of their testimony. And you've ruled
21 against me on that. So I want to proffer the testimony of
22 Ms. Cameron at this time. I guess in the event that I'm
23 wrong and you are right, then I would just like to proffer
24 her testimony. And if, by chance, my objection should have
25 been upheld, then it would be both excluded, I think is what

1 I'm trying to say here.

2 The dead man's statute makes specific reference to
3 opening the door. I don't want to open the door. Okay? But
4 I do want to proffer her testimony. That's what I'm trying
5 to do.

6 THE COURT: Certainly.

7 (Whereupon, a recess transpired.)

8 THE COURT: Do we have Ms. Cameron all set up?

9 THE CLERK: Yes, Your Honor.

10 THE COURT: Very good. All right.

11 HELEN CAMERON,

12 having been duly sworn, testifies as follows:

13 THE CLERK: Please state your name, spelling your
14 last name.

15 THE WITNESS: My name -- can you hear me?

16 THE COURT: I can, Ms. Cameron. Thank you.

17 THE WITNESS: Okay. My name is Helen Cameron. Do
18 you want me to spell it?

19 THE COURT: No, ma'am, I think we know. It's in the
20 documents. We are fine. And I apologize for asking you
21 this, but how old are you, Ms. Cameron?

22 THE WITNESS: 92.

23 THE COURT: Well, you look wonderful, I can tell
24 you, my mother-in-law is 92 as well. You both seem to be
25 fairing very well.

1 Mr. Kachmarsky has questions he needs to ask you for
2 a proffer.

3 So go ahead.

4 MR. KACHMARSKY: If it's okay, I will move over
5 here. I just learned that she's been involuntarily
6 sequestered during the hearing because she hasn't heard most
7 of what's been going on.

8 THE WITNESS: This is my good ear.

9 THE COURT: Okay.

10 THE WITNESS: Please speak a little loud, if you
11 can.

12 THE COURT: All right.

13 DIRECT EXAMINATION

14 BY MR. KACHMARSKY:

15 Q. Mrs. Cameron, I just wanted to ask you a couple of
16 questions about your relationship you with John. Could you
17 tell me how often you've talked with him during the latter
18 years of his life?

19 A. Oh, I spoke to John almost every day. Sometimes
20 when he was busy, we would skip time. But at least once a
21 week I heard from my son. And he visited me too because I
22 lived near where he worked.

23 Q. Okay. What are the kinds of things you've talked
24 about with him?

25 A. We had a very close relationship. We are a very

1 close-knit group. He was a -- we spoke about everything, no
2 matter what it was. My son and I could discuss anything.
3 And he always knew if he had a problem of any kind, that he
4 could always come to me since he had lost his father. So I
5 was both mother and father in a sense.

6 Q. Did he ever talk to you about his financial matters
7 and dealings?

8 A. Well, yes. He was upset some time since the past --
9 I don't know how many years now, but he was upset because his
10 income had changed since his retirement.

11 Q. He was beginning to have a hard time?

12 A. There was difficult times, yes. He couldn't -- I
13 think they lived a little bit on the high side at times,
14 according to what their income might have been, in my
15 opinion. But I never inflicted my opinion on my children.

16 Q. Did he ever talk to you about Linda Seaton?

17 A. I knew Linda Seaton, yes. I was there in the Sag
18 Harbor house. It was my home. My husband and I made a lot
19 of sacrifices to build the house and raise the three
20 children. And all, thank God, were successful. And now --
21 wait a minute.

22 Q. Did he ever talk to you about his personal life?

23 A. Yes, yes.

24 Q. Did he ever talk to you about Linda Seaton?

25 A. Yes. And he told me that he was trying to help

1 Linda because she was almost sometimes -- almost unaware,
2 very naive type of person in certain areas of things of the
3 world. She was a person who knew very strongly of herself.
4 And she was always bossing around without probably realizing
5 it. I don't know. But she was very aggressive at times.

6 And -- let me see.

7 Q. How did he describe his relationship with her to
8 you?

9 A. It was a very -- I knew that my son was not married
10 to her, because after his marriage and his divorce, he told
11 me that he would never, ever get married again, and that the
12 relationship between Linda and him were -- they got along
13 well at times, but there were also times when there were very
14 stressful things for him to put up with, because of her
15 reaction to not being in control of everything all the time.

16 Q. Do you remember the last time you spoke with your
17 son?

18 A. Yes.

19 Q. When was that?

20 A. The day before he died.

21 Q. What did you have conversations about that day?

22 A. The day before he died, he called me and told me
23 that he was cleaning up out there and the temperature was
24 over 100 or what degrees. I don't know. And he was coming
25 home because he wanted to be in the store, at the Montauk

1 store on Saturday. And he said he can't -- he said, you
2 know, mom, he said, I can't put up with this anymore.

3 Q. And what did he mean by that?

4 A. He said, I can't put up with this game that she
5 keeps playing. He said, I'm trying to do the things, I can't
6 make her happy, he said, but it's not the same. He said, I'm
7 coming back to Sag Harbor. He said, I'm getting everything
8 ready down here for her so that when I come back, she has to
9 go down there, and I'm staying up here, staying up here so
10 that he can continue doing what he had planned to do. And if
11 she didn't go along with the things that they had planned,
12 that he said she will just have to stay down there.

13 He was trying to prepare her when she went down
14 there. And she used to keep traveling all the time back and
15 forth going to conventions and this and that, whatever. But
16 anyway, and he was left with all the responsibilities of all
17 the things that had to be done in the store.

18 Q. Did he ever express any desire to marry Linda?

19 A. No, absolutely not.

20 Q. Did he ever tell you he was married to Linda?

21 A. No. And that same conversation, the last one I had,
22 I said to him, John, I said, what's going to happen to me, I
23 said, if something happens to you about the house in Sag
24 Harbor? And he said, mom, he said, don't worry. He said,
25 she won't give you any problem, I don't think. He said, the

1 house is yours, it will always be yours if you outlive me.
2 And I said to him, are you sure, John? And he said, yes. He
3 said, I'm very sure.

4 Because the way the house was supposed to be in my
5 name, I thought everything was in my name. And then -- let
6 me see.

7 Q. Okay.

8 THE COURT: Mr. Kachmarsky, can I ask just a quick
9 question so I'm clear on the record. So, originally, the
10 house was built, belonged to Mr. and Mrs. Cameron?

11 MR. KACHMARSKY: Right.

12 THE COURT: And it looks like that was their primary
13 residence. Is that where they raised the children, or it was
14 just a weekend --

15 MR. KACHMARSKY: No, summer.

16 THE COURT: Just a summer home?

17 MR. KACHMARSKY: No, that's right.

18 THE COURT: All right. So after that, at what time
19 did she, Mrs. Cameron, deed the house over to John Cameron?

20 MR. KACHMARSKY: I think that first was in 2002.

21 THE COURT: Is that when he then turned around and
22 gave her life estate, or did she first give him a life
23 estate?

24 MR. KACHMARSKY: I think it was included in the
25 deed.

1 THE COURT: Who had a life estate?

2 MR. KACHMARSKY: She did.

3 THE COURT: So at that point, he gave her a life
4 estate. But then he, obviously, was trying to get a line of
5 credit on the house or equity loan. He had to remove her
6 from -- as a life estate holder, because, obviously, that's
7 an interest in the property, to be able to get the money?

8 MR. KACHMARSKY: Right.

9 THE COURT: That was when, 2006?

10 MR. KACHMARSKY: 2006.

11 THE COURT: 2006? Okay. Just wanted to make sure I
12 was clear. Okay. Okay.

13 MR. KACHMARSKY: And I don't have any more questions
14 for her.

15 You can answer any questions Mr. Gandy has for you.
16 Okay?

17 MR. GANDY: Your Honor, I just want to be clear
18 that, I guess there was a standing objection to her under the
19 dead man's statute to her testimony regarding conversations
20 with her son, and that's why he proffered that.

21 THE COURT: Right.

22 CROSS-EXAMINATION

23 BY MR. GANDY:

24 Q. Ms. Cameron, nice to see you again. I'm Tripp
25 Gandy. Do you remember seeing each other in New York?

1 A. Yes, I do.

2 Q. Are you all right?

3 A. Yes.

4 Q. I have a couple of questions for you. In 2006, when
5 John took you off the deed, the life estate, and the house
6 was just deeded in his name; do you remember that?

7 A. I remember signing something, but I don't remember
8 what.

9 Q. Okay. At that point in time, the house was John's;
10 is that right?

11 A. I didn't really know that.

12 MR. GANDY: Okay. I don't have any other questions,
13 Your Honor.

14 THE COURT: Okay. Anything further, Mr. Kachmarsky?

15 MR. KACHMARSKY: Nothing else. I just want to move
16 at this time that all my exhibits be to put into evidence.

17 THE COURT: Okay.

18 (Defendant's Exhs. 2, 3, 5, 6 and 7, were
19 received in evidence.)

20 MR. KACHMARSKY: And we rest.

21 THE COURT: Okay.

22 MR. GANDY: Your Honor, can I call a couple of
23 rebuttal witnesses?

24 MR. GANDY: Certainly.

25 THE COURT: Do you want to do it now?

1 THE COURT: Let's do it now.

2 MR. GANDY: I would like to call Ms. Seaton to the
3 stand.

4 LINDA SEATON-CAMERON,
5 having been previously sworn, testifies as follows:

6 FURTHER EXAMINATION

7 BY MR. GANDY:

8 Q. I want to ask you a couple of questions regarding
9 the line of credit on the Sag Harbor house. Do you know what
10 the purpose of the line of credit on the Sag Harbor house
11 was?

12 A. We were living and paying our bills and maintaining
13 the house in Sag Harbor. And that's what we mostly were
14 using it for, yeah.

15 Q. What money was used to purchase the Mount Pleasant
16 house?

17 A. Mount Pleasant house was both of our money. It was
18 the proceeds from the East Moriches house and my money.

19 Q. Do you remember conversations with the Suffolk
20 County coroner, medical examiner?

21 A. Yes.

22 Q. After John's death?

23 A. Yes.

24 Q. Do you remember what you told him your relationship
25 was?

1 A. I told him that we were married, but it was a common
2 law marriage in South Carolina. And he said then I was not
3 first of kin, which broke my heart.

4 Q. You referred him on to Mrs. Cameron, correct?

5 A. Yes.

6 Q. How would you describe your relationship with Joan
7 Wise and Helen Cameron over the years?

8 A. I had a lovely relationship with Mrs. Cameron. She
9 was a mother to me. I was shocked that she wasn't coming to
10 my house in Sag Harbor when John died. We were expecting
11 her, but the sister would not allow it.

12 Q. What was your -- did Ms. Cameron ever visit you in
13 South Carolina?

14 A. No, she never did. John said he would drive her.
15 And she said she couldn't. We talked about it. She and I
16 talked about it. And she said she couldn't handle the
17 drive.

18 Q. And the store Whoa, Nellie, was John fronting all
19 the money for Whoa, Nellie?

20 A. No, no, that was my money.

21 Q. Was Whoa, Nellie paying rent back to John for the
22 Sag Harbor?

23 A. Well, John was looking for avenues to make money.
24 So he thought that tax-wise he could save it. We were using
25 the basement for storage for our store. So he thought that

1 he could claim that. I guess he got that from his
2 accountant. So he claimed it as a rent that we could get
3 money back. And I guess that's what he arranged.

4 Q. Right. So each month Whoa, Nellie would pay
5 Mr. Cameron \$700 a month for rental?

6 A. Usually, yes. Sometimes it was more.

7 Q. For the Sag Harbor house?

8 A. Yes.

9 Q. And then, finally, as far as the property taxes on
10 the Sag Harbor house, since John passed away, do you know
11 who's been paying the property tax?

12 A. I carried the taxes on the Sag Harbor house. And I
13 will say at one point I got a letter from the City of
14 Charleston questioning that it was our primary residence.
15 And I had to go back to New York and get letters from the
16 properties in New York proving that we have no exemptions in
17 New York. We only have in South Carolina.

18 Q. So the South Carolina residence was your primary
19 residence?

20 A. Yes, it's our home. Now, I would like to say that
21 my heart goes out to Mrs. Cameron, because I can't even
22 imagine -- I mean, I tried to -- I can't even imagine what
23 she's been through. And I know that in her heart, she wishes
24 that home was with her in New York City. I just really
25 adored their relationship and looked forward to her being

1 with us every August. She would usually come the end of July
2 and stay through Labor Day with us. And she always
3 complimented everything we did in the house. She loves color
4 and said, you do such a good job with color. I don't like
5 black and white that everybody else was doing.

6 And she was a lovely mother. And we talked about
7 all things. We talked about my son and how she helped me
8 with parenting my son and not to worry about things. And I'm
9 saddened that this relationship has destroyed our
10 relationship.

11 MR. GANDY: No further questions, Your Honor.

12 THE COURT: Thank you.

13 MR. KACHMARSKY: I don't have anything else
14 either.

15 THE COURT: Okay. Anything further?

16 MR. GANDY: One more rebuttal witness.

17 Denise Salomon.

18 DENISE SALOMON,

19 having been previously sworn, testifies as follows:

20 FURTHER EXAMINATION

21 BY MR. GANDY:

22 THE COURT: I just remind you, you are still under
23 oath.

24 Q. Ms. Salomon, I just wanted to ask you about -- you
25 told us earlier that you spent two or three days with

1 Mr. Cameron here in South Carolina when Ms. Seaton was not
2 here.

3 A. Yes, I did.

4 Q. Do you remember when that was, what year?

5 A. Let's see. It had to be -- I built on this house
6 three years this November, so you go back three years and a
7 few months.

8 Q. Some time in 2013?

9 A. 2013, somewhere in there, yeah, 2012, 2013,
10 somewhere in there.

11 Q. Any point during those conversations, did he discuss
12 his relationship with his sisters?

13 A. Yes, he did.

14 Q. What was his -- what did he say?

15 A. He always said he was very close with his mother,
16 loved talking to his mother all the time, concerned about his
17 mother. He said he had loaned one sister some money; never
18 heard from her again. And he said he invited his family
19 down. They never came down. It disappointed him that no one
20 ever wanted to come down.

21 He did tell me he offered to drive his mother down
22 and also Linda's father. And they just -- both the parents
23 never wanted to come down and visit them. And it hurt him
24 because he loved Charleston.

25 And John also told me that if something were to

1 happen to him, he was adamant, he shook his head and said, I
2 want to be cremated and I want my ashes to go over the water
3 in Charleston. So I'm sure he's not happy that he was buried
4 up in Sag Harbor. And the only picture from his close family
5 was his high school picture. That's it.

6 MR. GANDY: Thank you, Ms. Salomon. No other
7 questions.

8 THE COURT: Anything further?

9 MR. KACHMARSKY: None. Thanks.

10 THE COURT: Okay. All right. Well, I will just
11 take it under advisement, look at the evidence, and I will
12 let y'all know. Okay. Thank you.

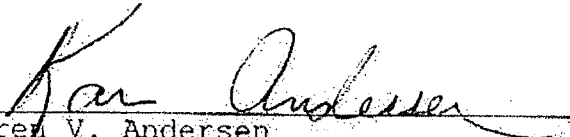
13 (Whereupon, proceedings are adjourned.)
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CERTIFICATE OF REPORTER

I, Karen V. Andersen, Registered Merit Reporter,
Certified Realtime Reporter, and Notary Public for the State
of South Carolina at Large, do hereby certify that the
foregoing transcript is a true, accurate and complete
Transcript of Record of the proceedings.

I further certify that I am neither related to nor
counsel for any party to the cause pending or interested in
the events thereof.

Witness my hand, I have hereunto affixed my official
seal this 19th day of August, 2016, at Charleston, Charleston
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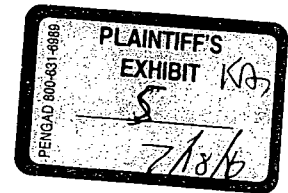

Karen V. Andersen
Registered Merit Reporter
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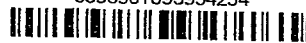
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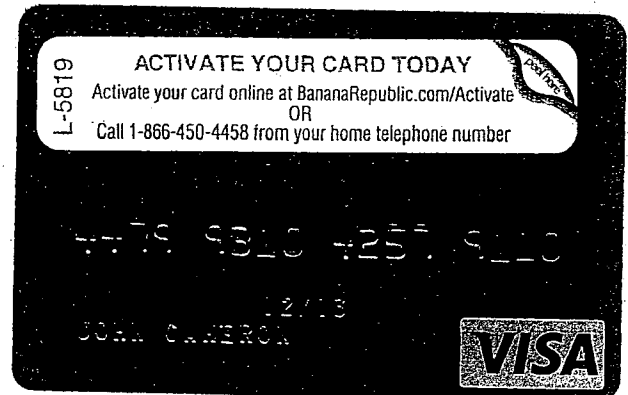
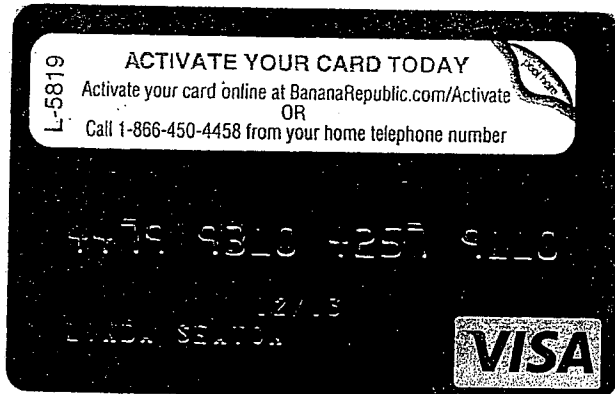
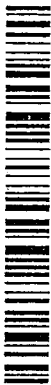
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Invoice Date: Jan 31, 2014
Page: 1

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Cameron	Due Upon Receipt*	
Sales Rep ID		Due Date
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Quantity	Item	Description	Unit Price	Amount
2.00	MTEB	Regular Maintenance on: 11/5, 12/13	45.00	90.00

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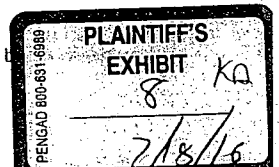
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	NEW BALANCE			530.00

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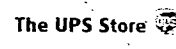
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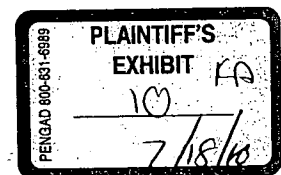
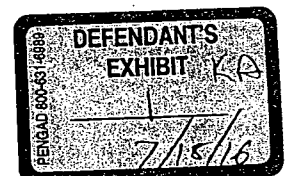


EXHIBIT "1"

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For the year Jan 1 - Dec 31, 2011, or other tax year beginning 2011, ending 20		See separate instructions.	
Your first name JOHN T CAMERON		Your social security number	
If a joint return, spouse's first name		Spouse's social security number	
Home address (number and street). If you have a P.O. box, see instructions.		Apartment no.	
City, town, or post office. If you have a foreign address, also complete spaces below (see instructions).		State ZIP code	
Foreign country name		Foreign province/county Foreign postal code	
Filing Status		Presidential Election Campaign	
1 ☒ Single 2 ☐ Married filing jointly (even if only one had income) 3 ☐ Married filing separately. Enter spouse's SSN above & full name here.		4 ☐ Head of household (with qualifying person). (See instructions.) If the qualifying person is a child but not your dependent, enter this child's name here. 5 ☐ Qualifying widow(er) with dependent child	
Check only one box.		Check here if you, or your spouse if filing jointly, want \$3 to go to this fund? Checking a box below will not change your tax or refund. ☒ You ☐ Spouse	
Exemptions		Boxes checked on 6a and 6b... 1	
6a ☒ Yourself. If someone can claim you as a dependent, do not check box 6a. b ☐ Spouse.		No. of children on 6c who:	
c Dependents:		(4) ☒ if child under age 17 qualifying for child (see instrs)	
(1) First name Last name (2) Dependent's social security number (3) Dependent's relationship to you		• lived with you • did not live with you due to divorce or separation (see instrs) Dependents on 6c not entered above Add numbers on lines above... 1	
If more than four dependents, see instructions and check here...		d Total number of exemptions claimed... 1	
Income		7 Wages, salaries, tips, etc. Attach Form(s) W-2... 7	
8a Taxable interest. Attach Schedule B if required... 8a		8b Tax-exempt interest. Do not include on line 8a... 8b	
9a Ordinary dividends. Attach Schedule B if required... 9a		9b Qualified dividends... 174.	
10 Taxable refunds, credits, or offsets of state and local income taxes... 10		11 Alimony received... 11	
12 Business income or (loss). Attach Schedule C or C-EZ... 12		13 Capital gain or (loss). Att Sch D if reqd. If not reqd, ck here... 13	
14 Other gains or (losses). Attach Form 4797... 14		15a IRA distributions... 15a	
16a Pensions and annuities... 16a		15b Taxable amount... 15b	
17 Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E... 17		16b Taxable amount... 16b	
18 Farm income or (loss). Attach Schedule F... 18		19 Unemployment compensation... 19	
20a Social security benefits... 20a		20b Taxable amount... 20b	
21 Other income OTHER... 21		22 Combine the amounts in the far right column for lines 7 through 21. This is your total income... 10,994.	
Adjusted Gross Income		23 Educator expenses... 23	
24 Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ... 24		25 Health savings account deduction. Attach Form 8889... 25	
26 Moving expenses. Attach Form 3903... 26		27 Deductible part of self-employment tax. Attach Schedule SE... 418.	
28 Self-employed SEP, SIMPLE, and qualified plans... 28		29 Self-employed health insurance deduction... 29	
30 Penalty on early withdrawal of savings... 30		31a Alimony paid b Recipient's SSN... 31a	
32 IRA deduction... 32		33 Student loan interest deduction... 33	
34 Tuition and fees. Attach Form 8917... 34		35 Domestic production activities deduction. Attach Form 8903... 35	
36 Add lines 23 through 35... 36		37 Subtract line 36 from line 22. This is your adjusted gross income... 10,576.	



Tax and Credits	38 Amount from line 37 (adjusted gross income).....	38	10,576.
	39a Check ☐ You were born before January 2, 1947, ☐ Blind. Total boxes checked ☐ 39a		
	if: ☐ Spouse was born before January 2, 1947, ☐ Blind. checked ☐ 39b		
Standard Deduction for - • People who check any box on line 39a or 39b or who can be claimed as a dependent, see instructions. • All others: Single or Married filing separately, \$5,800 Married filing jointly or Qualifying widow(er), \$11,600 Head of household, \$8,500	b If your spouse itemizes on a separate return or you were a dual-status alien, check here.....	39b	
	40 Itemized deductions (from Schedule A) or your standard deduction (see instructions).....	40	11,320.
	41 Subtract line 40 from line 38.....	41	-744.
	42 Exemptions. Multiply \$3,700 by the number on line 6d.....	42	3,700.
	43 Taxable income. Subtract line 42 from line 41. If line 42 is more than line 41, enter -0-.....	43	0.
	44 Tax (see Instrs). Check if any from: a ☐ Form(s) 8814 c ☐ 962 election b ☐ Form 4972.....	44	0.
	45 Alternative minimum tax (see instructions). Attach Form 6251.....	45	0.
	46 Add lines 44 and 45.....	46	0.
	47 Foreign tax credit. Attach Form 1116 if required.....	47	
	48 Credit for child and dependent care expenses. Attach Form 2441.....	48	
49 Education credits from Form 8863, line 23.....	49		
50 Retirement savings contributions credit. Attach Form 8880.....	50		
51 Child tax credit (see instructions).....	51		
52 Residential energy credits. Attach Form 5695.....	52		
53 Other crs from Form: a ☐ 3800 b ☐ 8801 c ☐	53		
54 Add lines 47 through 53. These are your total credits.....	54		
55 Subtract line 54 from line 46. If line 54 is more than line 46, enter -0-.....	55	0.	
Other Taxes	56 Self-employment tax. Attach Schedule SE.....	56	727.
	57 Unreported social security and Medicare tax from Form: a ☐ 4137 b ☐ 8919.....	57	
	58 Additional tax on IRAs, other qualified retirement plans, etc. Attach Form 5329 if required.....	58	
	59a Household employment taxes from Schedule H.....	59a	
	b First-time homebuyer credit repayment. Attach Form 5405 if required.....	59b	
	60 Other taxes. Enter code(s) from Instructions.....	60	
	61 Add lines 55-60. This is your total tax.....	61	727.
Payments	62 Federal income tax withheld from Forms W-2 and 1099.....	62	
	63 2011 estimated tax payments and amount applied from 2010 return.....	63	
	64a Earned income credit (EIC).....	64a	236.
	b Nontaxable combat pay election.....	64b	
	65 Additional child tax credit. Attach Form 8812.....	65	
	66 American opportunity credit from Form 8863, line 14.....	66	
	67 First-time homebuyer credit from Form 5405, line 10.....	67	
	68 Amount paid with request for extension to file.....	68	
	69 Excess social security and tier 1 RRTA tax withheld.....	69	
	70 Credit for federal tax on fuels. Attach Form 4136.....	70	
	71 Credits from Form: a ☐ 2439 b ☐ 8839 c ☐ 8801 d ☐ 8885.....	71	
	72 Add lines 62, 63, 64a, & 65-71. These are your total pmts.....	72	236.
Refund	73 If line 72 is more than line 61, subtract line 61 from line 72. This is the amount you overpaid.....	73	
	74a Amount of line 73 you want refunded to you. If Form 8888 is attached, check here. ☐ 74a		
	b Routing number..... c Type: ☐ Checking ☐ Savings		
	d Account number.....		
Direct deposit? See instructions.	75 Amount of line 73 you want applied to your 2012 estimated tax.....	75	
Amount You Owe	76 Amount you owe. Subtract line 72 from line 61. For details on how to pay see instructions.....	76	491.
	77 Estimated tax penalty (see instructions).....	77	
Third Party Designee	Do you want to allow another person to discuss this return with the IRS (see instructions)? ☒ Yes. Complete below. ☐ No		
	Designee's name KENNETH S. NOE	Phone no. 516-358-4373	Personal identification number (PIN) 00002
Sign Here	Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.		
Joint return? See instructions.	Your signature.....	Date.....	Your occupation R.E. MANAGEMENT Daytime phone number.....
Keep a copy for your records.	Spouse's signature. If a joint return, both must sign.....	Date.....	Spouse's occupation..... If the IRS sent you an Identity Protection PIN, enter it here (see instructions).....
Paid Preparer's Use Only	Print/Type preparer's name KENNETH S. NOE	Preparer's signature KENNETH S. NOE	Date..... Check ☐ if self-employed PTIN P01440929
	Firm's name M. Longobardi and Associates	Firm's EIN 05-0540162	Phone no. (516) 358-4373
	Firm's address 22 Verbena Avenue		
	Floral Park, NY 11001		

1030


 STATE OF SOUTH CAROLINA
 DEPARTMENT OF REVENUE

2011 INDIVIDUAL INCOME TAX RETURN

SC1040

(Rev. 9/13/11)
3075

Your social security number	Check if deceased ☐
Spouse's social security number	Check if deceased ☐

For the year January 1 - December 31, 2011, or fiscal tax year beginning		2011 and ending		2012	
Enter your first name and initial JOHN T			Last name CAMERON		Suff.
Spouse's first name, if married filing jointly			Last name		
Check if new address ☐	Mailing address (number and street, Apt No or P.O. Box) Foreign address, see instructions				County code
City	State	Zip	Area Code	Daytime telephone	
Check if address is outside US ☐	Foreign country address including Postal code (see instructions)				
Check this box if you are filing SC Schedule NR (Part year/Nonresident) ☐					
Check this box if filing a composite return for partnership or 'S' corporation ☐					
Check this box if you have filed a federal or state extension ☐					
Check this box if you served in a Military COMBAT ZONE during the filing period. ☐					
Enter the name of the combat zone:					
Check this box if this return is affected by a federally declared DISASTER AREA. ☐					
Enter the name of the disaster area:					
CHECK YOUR FEDERAL FILING STATUS					
(1) ☒ Single (3) ☐ Married filing separately. Enter spouse's SSN here: _____ (2) ☐ Married filing jointly (4) ☐ Head-of-household (5) ☐ Widow(er) with dependent child					

Federal Exemptions

Enter the number of exemptions from your 2011 federal return

Enter the number of exemptions listed above that were under the age of 6 years on December 31, 2011

Enter the number of taxpayers age 65 or older, as of December 31, 2011

Dependents:

First name	Last name	Social security number	Relationship	Date of birth (MM/DD/YYYY)

SC/A0112L 11/08/11

30751028

1030

STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE
**INDIVIDUAL INCOME TAX
DECLARATION FOR ELECTRONIC FILING**

SC 8453
(Rev 7/23/10)
3299

Please print or type.

Your first name and initial JOHN T CAMERON		Last name		Your social security number	
If joint return, spouse's first name and initial		Last name, if different		Spouse's social security number	
Home address (number and street, apartment number or RR)			Daytime telephone number		Tax Year
City, town or post office			State ZIP code		

Part I Tax Return Information (Whole dollars only)

1 Federal taxable income (SC1040, line 1)	1	00
2 Net South Carolina tax (SC1040, line 15)	2	00
3 Use Tax	3	00
4 Total Tax	4	00
5 South Carolina Income Tax Withheld (SC1040, lines 16 and 20)	5	00
6 Tuition Tax Credit (SC1040, line 21)	6	00
7 Refund (SC1040, line 30)	7	00
8 Amount you owe (SC1040, line 34)	8	00

Part II Direct Deposit of Refund or EFW Payment of Tax Due (Optional - See instructions.)

9 Routing transit number (RTN) The first two numbers of the RTN must be 01 through 12 or 21 through 32.

10 Bank account number (BAN)

11 Type of account: ☐ Checking ☐ Savings

12 Withdrawal Date Withdrawal Amount \$

Part III Declaration of Taxpayer (Sign only after Part I is completed.)

- 13 a ☐ I consent that my refund be directly deposited as designated in Part II, and declare that the information shown on lines 1 through 8 is correct. If I have filed a joint return, this is an irrevocable appointment of the other spouse as an agent to receive the refund.
- b ☐ I authorize (1) the South Carolina Department of Revenue and its designated financial agents to initiate an Electronic Funds Withdrawal (payment) entry to my financial institution account designated in Part II for payment of my South Carolina taxes owed, and (2) my financial institution to debit the entry to my account. I also authorize the financial institutions involved in the processing of my electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to my payment. Under the terms of this authorization, I can revoke this authorization by notifying the South Carolina Department of Revenue no later than two business days prior to the withdrawal (settlement) date by calling 803-896-1715.

If I have filed a balance due return, I understand that if the South Carolina Department of Revenue does not receive full and timely payment of my tax liability, I will remain liable for the tax liability and all applicable interest and penalties.

I declare that I have compared the information (including direct deposit or EFW data) on my return with the information I have provided to my electronic return originator (ERO) and the amounts agree with the amounts on my South Carolina tax return. To the best of my knowledge, my return is true and complete. I consent that my return and accompanying schedules and statements be sent to the Internal Revenue Service (IRS) by my ERO, and subsequently by the IRS to the South Carolina Department of Revenue. Do not submit this form to the SC Department of Revenue. Keep with your records.

Sign Here

Your signature	Date	Spouse's signature (if joint, BOTH must sign)	Date
----------------	------	---	------

Part IV Declaration of Electronic Return Originator (ERO) and Paid Preparer (See instructions.)

I declare that I have received the above taxpayer's return and the entries on this form are complete and correct to the best of my knowledge. I have obtained the taxpayer's signature on this form before submitting this return to the South Carolina Department of Revenue. I have provided the taxpayer with a copy of all forms and information to be filed with the IRS and the South Carolina Department of Revenue, and have followed all other requirements described in the IRS Publication 1345 Authorized IRS e-file Providers of Individual Income Tax Returns, and requirements specified by the South Carolina Department of Revenue. If I am the preparer, I declare that I have examined the above taxpayer's return and accompanying schedules and statements, and to the best of my knowledge, they are true and complete. This declaration is based on all information of which I have knowledge. I understand I do not mail this form. I am required to keep this form and the supporting documents for three (3) years.

ERO's Use Only	ERO signature	KENNETH S. NOE	Date	Check if also paid preparer ☒	Check if self-employed ☐	PTIN
	Firm name (or yours if self-employed) and address	M. Longobardi and Associates 22 Verbena Avenue Floral Park, NY		FEIN	05-0540162	
				ZIP code	11001	
Paid Preparer's Use Only	Preparer signature		Date	Check if self-employed ☐	PTIN	
	Firm name (or yours if self-employed) and address			FEIN		
				ZIP code		

DO NOT MAIL KEEP FOR YOUR RECORDS

Tax and Credits

Standard Deduction for —

• People who check any box on line 39a or 39b or who can be claimed as a dependent, see instructions.
• All others:
Single or Married filing separately, \$5,950
Married filing jointly or Qualifying widow(er), \$11,900
Head of household, \$8,700

38	Amount from line 37 (adjusted gross income)	38	12,165.
39a	Check ☐ You were born before January 2, 1948, ☐ Blind. Total boxes if: ☐ Spouse was born before January 2, 1948, ☐ Blind. checked ☒ 39a		
	b If your spouse itemizes on a separate return or you were a dual-status alien, check here. ☐ 39b		
40	Itemized deductions (from Schedule A) or your standard deduction (see left margin)	40	12,984.
41	Subtract line 40 from line 38	41	-819.
42	Exemptions. Multiply \$3,800 by the number on line 6d	42	3,800.
43	Taxable income. Subtract line 42 from line 41. If line 42 is more than line 41, enter -0-	43	0.
44	Tax (see instrs). Check if any from: a ☐ Form(s) 8814 c ☐ 962 election b ☐ Form 4972	44	0.
45	Alternative minimum tax (see instructions). Attach Form 6251	45	0.
46	Add lines 44 and 45	46	0.
47	Foreign tax credit. Attach Form 1116 if required	47	
48	Credit for child and dependent care expenses. Attach Form 2441	48	
49	Education credits from Form 8863, line 19	49	
50	Retirement savings contributions credit. Attach Form 8880	50	
51	Child tax credit. Attach Schedule 8812, if required	51	
52	Residential energy credits. Attach Form 5695	52	
53	Other crs from Form: a ☐ 3800 b ☐ 8801 c ☐	53	
54	Add lines 47 through 53. These are your total credits	54	
55	Subtract line 54 from line 46. If line 54 is more than line 46, enter -0-	55	0.
56	Self-employment tax. Attach Schedule SE	56	844.
57	Unreported social security and Medicare tax from Form: a ☐ 4137 b ☐ 8919	57	
58	Additional tax on IRAs, other qualified retirement plans, etc. Attach Form 5329 if required	58	
59a	Household employment taxes from Schedule H	59a	
	b First-time homebuyer credit repayment. Attach Form 5405 if required	59b	
60	Other taxes. Enter code(s) from instructions	60	
61	Add lines 55-60. This is your total tax	61	844.

Payments

If you have a qualifying child, attach Schedule EIC.

62	Federal income tax withheld from Forms W-2 and 1099	62	
63	2012 estimated tax payments and amount applied from 2011 return	63	
64a	Earned income credit (EIC)	64a	138.
	b Nontaxable combat pay election. ☒ 64b		
65	Additional child tax credit. Attach Schedule 8812	65	
66	American opportunity credit from Form 8863, line 8	66	
67	Reserved	67	
68	Amount paid with request for extension to file	68	
69	Excess social security and tier 1 RRTA tax withheld	69	
70	Credit for federal tax on fuels. Attach Form 4136	70	
71	Credits from Form: a ☐ 2439 b ☒ Reserved c ☐ 8801 d ☐ 8885	71	
72	Add lines 62, 63, 64a, & 65-71. These are your total pmts	72	138.

Refund

Direct deposit? See instructions.

73	If line 72 is more than line 61, subtract line 61 from line 72. This is the amount you overpaid	73	
74a	Amount of line 73 you want refunded to you. If Form 8888 is attached, check here. ☐ 74a		
	b Routing number. ☐ c Type: ☐ Checking ☐ Savings		
	d Account number. ☐		
75	Amount of line 73 you want applied to your 2013 estimated tax	75	

Amount You Owe

76	Amount you owe. Subtract line 72 from line 61. For details on how to pay see instructions	76	706.
77	Estimated tax penalty (see instructions)	77	

Third Party Designee

Do you want to allow another person to discuss this return with the IRS (see instructions)? ☒ Yes. Complete below. ☐ No

Designee's name	KENNETH S. NOE	Phone no.	516-358-4373	Personal identification number (PIN)	00002
-----------------	----------------	-----------	--------------	--------------------------------------	-------

Sign Here

Joint return? See instructions.

Keep a copy for your records.

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Your signature	Date	Your occupation	Daytime phone number
☐		R.E. MANAGEMENT	
Spouse's signature. If a joint return, both must sign.	Date	Spouse's occupation	If the IRS sent you an Identity Protection PIN, enter it here (see instrs)
☐			

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
KENNETH S. NOE	KENNETH S. NOE			P01440929
Firm's name	M. Longobardi and Associates			
Firm's address	22 Verben Avenue			
	Floral Park, NY 11001			
	Firm's EIN			05-0540162
	Phone no.			(516) 358-4373

1030



STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE

2012 INDIVIDUAL INCOME TAX RETURN

SC1040

 (Rev. 8/10/12)
3075

Your social security number	Check if deceased ☐
Spouse's social security number	Check if deceased ☐

DO NOT USE THIS FORM TO FILE A
CORRECTED RETURN. SEE SC1040
INSTRUCTIONS FOR ADDITIONAL
INFORMATION.

For the year January 1 - December 31, 2012, or fiscal tax year beginning 2012 and ending 2013

Enter your first name and initial
JOHN T

Last name
CAMERON

Suff.

Spouse's first name, if married filing jointly

Last name

Check if new address ☐ Mailing address (number and street, Apt. No or P.O. Box) Foreign address, see instructions

City

State

Zip

Area Code

Daytime telephone

County code

Check if address is outside US ☐ Foreign country address including Postal code (see instructions)

Check this box if you are filing SC Schedule NR (Part year/Nonresident) ☐

Check this box if filing a composite return for partnership or 'S' corporation ☐

Check this box if you have filed a federal or state extension ☐

Check this box if you served in a Military COMBAT ZONE during the filing period ☐

Enter the name of the combat zone: _____

Check this box if this return is affected by a federally declared DISASTER AREA ☐

Enter the name of the disaster area: _____

CHECK YOUR FEDERAL FILING STATUS

(1) ☒ Single

(2) ☐ Married filing jointly

(3) ☐ Married filing separately. Enter spouse's SSN here: _____

(4) ☐ Head-of-household

(5) ☐ Widow(er) with dependent child

Federal Exemptions

Enter the number of exemptions from your 2012 federal return **1**

Enter the number of exemptions listed above that were under the age of 6 years on December 31, 2012 _____

Enter the number of taxpayers age 65 or older, as of December 31, 2012 _____

Dependents:

First name	Last name	Social security number	Relationship	Date of birth (MM/DD/YYYY)

SCIA0112L 11/19/12

30751028



INCOME AND ADJUSTMENTS

2012

1 Enter federal taxable income from your federal form. If zero or less, enter zero here.	1	Dollars	
Nonresident filers complete Schedule NR and enter total from line 49 on line 5 below.	1		0.00

ADDITIONS TO FEDERAL TAXABLE INCOME

a State tax addback, if itemizing on federal return (See instructions).	a	515.00	
b Out-of-state losses (See instructions)	b		
Check type of loss: ☐ Rental ☐ Business ☐ Other	b	00	
c Expenses related to National Guard and Military Reserve income.	c	00	
d Interest income on obligations of states and political subdivisions other than South Carolina.	d	00	
e Other additions to income. Attach an explanation (See instructions).	e	00	
2 Add lines a through e and enter the total here. These are your total additions.	2	515.00	
3 Add lines 1 and 2 and enter the total here.	3	515.00	

SUBTRACTIONS FROM FEDERAL TAXABLE INCOME

f State tax refund, if included on your federal return.	f	00	Dollars
g Total and permanent disability retirement income, if taxed on your federal return.	g	00	
h Out-of-state income/gain — Do not include personal service income (See instructions)	h	00	
Check type of income/gain: ☐ Rental ☐ Business ☐ Other	h	00	
i 44% of net capital gains held for more than one year (See instructions).	i	00	
j Volunteer deductions (See instructions) Check type of deduction:	j	00	
☐ Firefighter ☐ HazMat ☐ Rescue Squad	j	00	
☐ DNR ☐ Reserve Police ☐ Other	j	00	
k Contributions to the SC College Investment Program ('Future Scholar') or the SC Tuition Prepayment Program (See instructions).	k	00	
l Active Trade or Business Income deduction (See instructions).	l	00	
m Interest income from obligations of the US government.	m	00	
n Certain nontaxable National Guard or Reserve Pay (See instructions).	n	00	
o Social security and/or railroad retirement, if taxed on your federal return	o	00	
p Caution: Retirement Deduction (See instructions)			
p-1 Taxpayer: date of birth	p-1	00	
p-2 Spouse: date of birth	p-2	00	
p-3 Surviving spouse #1: date of birth of deceased spouse	p-3	00	
p-4 Surviving spouse #2: date of birth of deceased spouse	p-4	00	
q Age 65 and older deduction (See instructions)			
q-1 Taxpayer: date of birth	q-1	00	
q-2 Spouse: date of birth	q-2	00	
r Negative amount of federal taxable income.	r	4,619.00	
s Subsistence allowance days @ \$8.00.	s	00	
t Dependents under the age of 6 years on December 31 of the tax year.	t	00	
u Other subtractions (See instructions).	u	00	
4 Add lines f through u and enter here. These are your total subtractions.	4	4,619.00	
5 Residents subtract line 4 from line 3 and enter the difference. Nonresidents enter amount from Schedule NR, line 49. If less than zero enter zero here. This is your South Carolina INCOME SUBJECT TO TAX.	5	0.00	

6 TAX: enter tax from SOUTH CAROLINA tax tables.	6	0.00	
7 TAX on Lump Sum Distribution (Attach SC4972).	7	0.00	
8 TAX on Active Trade or Business Income (Attach I-335).	8	00	
9 TAX on excess withdrawals from Catastrophe Savings Accounts.	9	00	
10 Add lines 6 through 9 and enter the total here. This is your TOTAL SOUTH CAROLINA TAX	10	0.00	
11 Child and Dependent Care (See instructions).	11	00	
12 Two Wage Earner Credit (See instructions).	12	00	
13 Other non-refundable credits. Attach SC1040TC and other state return(s).	13	0.00	
14 TOTAL non-refundable credits. Add lines 11 through 13 and enter the total here.	14	00	
15 SUBTRACT line 14 from line 10. Enter the difference BUT NOT LESS THAN ZERO here.	15	0.00	

EXHIBIT "3"

Form **1040** Department of the Treasury — Internal Revenue Service (99) **U.S. Individual Income Tax Return 2013** OMB No. 1545-0074 IRS Use Only — Do not write or staple in this space.

For the year Jan 1 - Dec 31, 2013, or other tax year beginning 2013, ending 20

JOHN T CAMERON

If a joint return, spouse's first name and initial

Last name

Last name

See separate instructions.

Your social security number

Spouse's social security number

Home address (number and street). If you have a P.O. box, see instructions.

Apartment no.

City, town or post office, state, and ZIP code. If you have a foreign address, also complete spaces below (see instructions).

Foreign country name

Foreign province/state/county

Foreign postal code

▲ Make sure the SSN(s) above and on line 6c are correct.

Presidential Election Campaign

Check here if you, or your spouse if filing jointly, want \$3 to go to this fund? Checking a box below will not change your tax or refund. ☒ You ☐ Spouse

Filing Status

1 ☒ Single2 ☐ Married filing jointly (even if only one had income)3 ☐ Married filing separately. Enter spouse's SSN above & full name here4 ☐ Head of household (with qualifying person). (See instructions.) If the qualifying person is a child but not your dependent, enter this child's name here5 ☐ Qualifying widow(er) with dependent child

Check only one box.

Exemptions

6a ☒ Yourself. If someone can claim you as a dependent, do not check box 6a.b ☐ Spouse

c Dependents:

(1) First name

Last name

(2) Dependent's social security number

(3) Dependent's relationship to you

(4) ☒ if child under age 17 qualifying for child tax or (see instrs)Boxes checked on 6a and 6b ... 1
No. of children on 6c who:

• lived with you

• did not live with you due to divorce or separation (see instrs)

Dependents on 6c not entered above

Add numbers on lines above

If more than four dependents, see instructions and check here

d Total number of exemptions claimed

Income

7 Wages, salaries, tips, etc. Attach Form(s) W-2

8a Taxable interest. Attach Schedule B if required

b Tax-exempt interest. Do not include on line 8a

9a Ordinary dividends. Attach Schedule B if required

b Qualified dividends

10 Taxable refunds, credits, or offsets of state and local income taxes

11 Alimony received

12 Business income or (loss). Attach Schedule C or C-EZ

13 Capital gain or (loss). Att Sch D if reqd. If not reqd, ck here

14 Other gains or (losses). Attach Form 4797

15a IRA distributions

15a

b Taxable amount

16a Pensions and annuities

16a

b Taxable amount

17 Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E

18 Farm income or (loss). Attach Schedule F

19 Unemployment compensation

20a Social security benefits

20a

b Taxable amount

21 Other income OTHER

22 Combine the amounts in the far right column for lines 7 through 21. This is your total income

23 Educator expenses

24 Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ

25 Health savings account deduction. Attach Form 8889

26 Moving expenses. Attach Form 3903

27 Deductible part of self-employment tax. Attach Schedule SE

28 Self-employed SEP, SIMPLE, and qualified plans

29 Self-employed health insurance deduction

30 Penalty on early withdrawal of savings

31a Alimony paid b Recipient's SSN

32 IRA deduction

33 Student loan interest deduction

34 Tuition and fees. Attach Form 8917

35 Domestic production activities deduction. Attach Form 8903

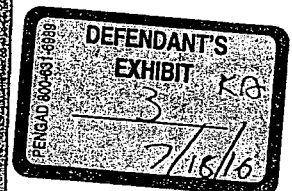
36 Add lines 23 through 35

37 Subtract line 36 from line 22. This is your adjusted gross income

Adjusted Gross Income

Attach Form(s) W-2 here. Also attach Forms W-2G and 1099-R if tax was withheld.

If you did not get a W-2, see instructions.



Tax and Credits

Standard Deduction for —

• People who check any box on line 39a or 39b or who can be claimed as a dependent, see instructions.

• All others:

Single or Married filing separately, \$6,100

Married filing jointly or Qualifying widow(er), \$12,200

Head of household, \$8,950

38 Amount from line 37 (adjusted gross income) 38 17,035.

39a Check ☐ You were born before January 2, 1949, ☐ Blind. Total boxes checked ☐ 39a ☐ Spouse was born before January 2, 1949, ☐ Blind. checked ☐ 39b ☐

b If your spouse itemizes on a separate return or you were a dual-status alien, check here. ☐ 39b ☐

40 Itemized deductions (from Schedule A) or your standard deduction (see left margin). 40 13,512.

41 Subtract line 40 from line 38. 41 3,523.

42 Exemptions. If line 38 is \$150,000 or less, multiply \$3,900 by the number on line 6d. Otherwise, see Instrs. 42 3,900.

43 Taxable income. Subtract line 42 from line 41. 43 0.

44 Tax (see Instrs). Check if any from: a ☐ Form(s) 8814 c ☐ b ☐ Form 4972. 44 0.

45 Alternative minimum tax (see instructions). Attach Form 6251. 45 0.

46 Add lines 44 and 45. 46 0.

47 Foreign tax credit. Attach Form 1116 if required. 47

48 Credit for child and dependent care expenses. Attach Form 2441. 48

49 Education credits from Form 8863, line 19. 49

50 Retirement savings contributions credit. Attach Form 8880. 50

51 Child tax credit. Attach Schedule 8812, if required. 51

52 Residential energy credits. Attach Form 5695. 52

53 Other crs from Form: a ☐ 3800 b ☐ 8801 c ☐ 53

54 Add lines 47 through 53. These are your total credits. 54

55 Subtract line 54 from line 46. If line 54 is more than line 46, enter -0-. 55 0.

Other Taxes

56 Self-employment tax. Attach Schedule SE. 56 638.

57 Unreported social security and Medicare tax from Form: a ☐ 4137 b ☐ 8919. 57

58 Additional tax on IRAs, other qualified retirement plans, etc. Attach Form 5329 if required. 58

59a Household employment taxes from Schedule H. 59a

b First-time homebuyer credit repayment. Attach Form 5405 if required. 59b

60 Taxes from: a ☐ Form 8959 b ☐ Form 8960 c ☐ Instrs; enter code(s) 60

61 Add lines 55-60. This is your total tax. 61 638.

Payments

If you have a qualifying child, attach Schedule EIC.

62 Federal income tax withheld from Forms W-2 and 1099. 62

63 2013 estimated tax payments and amount applied from 2012 return. 63

64a Earned income credit (EIC). 64a

b Nontaxable combat pay election. ☐ 64b

65 Additional child tax credit. Attach Schedule 8812. 65

66 American opportunity credit from Form 8863, line 8. 66

67 Reserved. 67

68 Amount paid with request for extension to file. 68

69 Excess social security and tier 1 RRTA tax withheld. 69

70 Credit for federal tax on fuels. Attach Form 4136. 70

71 Credits from Form: a ☐ 2439 b ☐ Reserved c ☐ 8885 d ☐ 71

72 Add lines 62, 63, 64a, & 65-71. These are your total pmts. 72 0.

Refund

73 If line 72 is more than line 61, subtract line 61 from line 72. This is the amount you overpaid. 73

74a Amount of line 73 you want refunded to you. If Form 8888 is attached, check here. ☐ 74a

b Routing number. ☐ c Type: ☐ Checking ☐ Savings

d Account number. ☐

75 Amount of line 73 you want applied to your 2014 estimated tax. 75

Amount You Owe

76 Amount you owe. Subtract line 72 from line 61. For details on how to pay see instructions. 76 638.

77 Estimated tax penalty (see instructions). 77

Third Party Designee

Do you want to allow another person to discuss this return with the IRS (see instructions)? ☒ Yes. Complete below. ☐ No

Designee's name ☐ KENNETH S. NOE Phone no. ☐ (516) 358-4373 Personal identification number (PIN) ☐ 00002

Sign Here

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Your signature ☐ Date ☐ Your occupation ☐ Daytime phone number ☐

Spouse's signature. If a joint return, both must sign. ☐ Date ☐ Spouse's occupation ☐

If the IRS sent you an Identity Protection PIN, enter it here (see Instrs) ☐

Print/Type preparer's name ☐ KENNETH S. NOE Preparer's signature ☐ KENNETH S. NOE Date ☐ Check ☒ if self-employed PTIN ☐ P01440929

Paid Preparer Use Only

Firm's name ☐ M. Longobardi and Associates

Firm's address ☐ 22 Verbena Avenue
Floral Park, NY 11001

Firm's EIN ☐ 20-2570792
Phone no. ☐ (516) 358-4373

1030



STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE

2013 INDIVIDUAL INCOME TAX RETURN

SC1040

(Rev. 8/20/13)
3075

Your social security number	Check if deceased ☐
Spouse's social security number	Check if deceased ☐

DO NOT USE THIS FORM TO FILE A
CORRECTED RETURN. SEE SC1040
INSTRUCTIONS FOR ADDITIONAL
INFORMATION.

For the year January 1 - December 31, 2013, or fiscal tax year beginning 2013 and ending 2014

Enter your first name and initial
JOHN T

Last name
CAMERON

Suff.

Spouse's first name, if married filing jointly

Last name

Check if new address ☐ Mailing address (number and street, Apt. No or P.O. Box) Foreign address, see instructions

City _____ State _____ Zip _____ Area Code _____ Daytime telephone _____

County code _____

Check if address is outside US ☐ Foreign country address including Postal code (see instructions) _____

Check this box if you are filing SC Schedule NR (Part year/Nonresident) ☐

Check this box ONLY if filing a composite return on behalf of the nonresident partners/shareholders of a partnership or 'S' corporation ☐

Check this box if you have filed a federal or state extension ☐

Check this box if you served in a Military COMBAT ZONE during the filing period ☐

Enter the name of the combat zone: _____

Check this box if this return is affected by a federally declared DISASTER AREA ☐

Enter the name of the disaster area: _____

CHECK YOUR FEDERAL FILING STATUS

(1) ☒ Single (3) ☐ Married filing separately. Enter spouse's SSN here: _____

(2) ☐ Married filing jointly (4) ☐ Head-of-household (5) ☐ Widow(er) with dependent child

Federal Exemptions

Enter the number of exemptions from your 2013 federal return

Enter the number of exemptions listed above that were under the age of 6 years on December 31, 2013

Enter the number of taxpayers age 65 or older, as of December 31, 2013

Dependents:

First name	Last name	Social security number	Relationship	Date of birth (MM/DD/YYYY)

SCIA0112L 11/25/13

30751028



INCOME AND ADJUSTMENTS

2013

1 Enter federal taxable income from your federal form. If zero or less, enter zero here.			Dollars	
Nonresident filers complete Schedule NR and enter total from line 50 on line 5 below		1		0.00

ADDITIONS TO FEDERAL TAXABLE INCOME

a State tax addback, if itemizing on federal return (See instructions)	a	225.00		
b Out-of-state losses (See instructions)	b			
Check type of loss: ☐ Rental ☐ Business ☐ Other	b			
c Expenses related to National Guard and Military Reserve income	c			
d Interest income on obligations of states and political subdivisions other than South Carolina	d			
e Other additions to income. Attach an explanation (See instructions)	e			
2 Add lines a through e and enter the total here. These are your total additions	2		225.00	
3 Add lines 1 and 2 and enter the total here	3		225.00	

SUBTRACTIONS FROM FEDERAL TAXABLE INCOME

f State tax refund, if included on your federal return	f			Dollars
g Total and permanent disability retirement income, if taxed on your federal return	g			
h Out-of-state income/gain — Do not include personal service income (See instructions)	h			
Check type of income/gain: ☐ Rental ☐ Business ☐ Other	h			
i 44% of net capital gains held for more than one year (See instructions)	i			
j Volunteer deductions (See instructions) Check type of deduction: ☐ Firefighter ☐ HazMat ☐ Rescue Squad ☐ DNR ☐ Reserve Police ☐ Other	j			
k Contributions to the SC College Investment Program (Future Scholar) or the SC Tuition Prepayment Program (See instructions)	k			
l Active Trade or Business Income deduction (See instructions)	l			
m Interest income from obligations of the US government	m			
n Certain nontaxable National Guard or Reserve Pay (See instructions)	n			
o Social security and/or railroad retirement, if taxed on your federal return	o			
p Caution: Retirement Deduction (See instructions)				
p-1 Taxpayer: date of birth	p-1			
p-2 Spouse: date of birth	p-2			
p-3 Surviving spouse #1: date of birth of deceased spouse	p-3			
p-4 Surviving spouse #2: date of birth of deceased spouse	p-4			
q Age 65 and older deduction (See instructions)				
q-1 Taxpayer: date of birth	q-1			
q-2 Spouse: date of birth	q-2			
r Negative amount of federal taxable income	r	377.00		
s Subsistence allowance days @ \$8.00	s			
t Dependents under the age of 6 years on December 31 of the tax year	t			
u Consumer Protection Services	u			
v Other subtractions (See instructions)	v			
4 Add lines f through v and enter here. These are your total subtractions	4		377.00	
5 Residents subtract line 4 from line 3 and enter the difference. Nonresidents enter amount from Schedule NR, line 50. If less than zero enter zero here. This is your South Carolina INCOME SUBJECT TO TAX.	5		0.00	
6 TAX: enter tax from SOUTH CAROLINA tax tables	6	0.00		
7 TAX on Lump Sum Distribution (Attach SC4972)	7	0.00		
8 TAX on Active Trade or Business Income (Attach I-335)	8			
9 TAX on excess withdrawals from Catastrophe Savings Accounts	9			
10 Add lines 6 through 9 and enter the total here. This is your TOTAL SOUTH CAROLINA TAX	10		0.00	
11 Child and Dependent Care (See instructions)	11			
12 Two Wage Earner Credit (See instructions)	12			
13 Other non-refundable credits. Attach SC1040TC and other state return(s)	13	0.00		
14 TOTAL non-refundable credits. Add lines 11 through 13 and enter the total here	14		0.00	
15 SUBTRACT line 14 from line 10. Enter the difference BUT NOT LESS THAN ZERO here	15		0.00	

SCIA0112L 11/25/13

30752026

Client Viewer



Selected Client: MR JOHN THOMAS CAMERON
Client ID: 1815 2918 1 001

Beneficiaries

Print this page

Note : Client Viewer displays all accounts with an active beneficiary designation, click the Add/Update Beneficiary link to review all eligible accounts.

[Add/Update Beneficiary](#)

Client Beneficiaries By Plan		
Plan Type: AMP ACTIVE IRA Plan ID: 0003 050 056		
Account	Designation	Request Spelling Correction
AMERIPRISE BROKERAGE AMERIPRISE TRUST COMPANY C/O JOHN THOMAS CAMERON AS CUSTD FOR THE JOHN THOMAS CAMERON IRA 0000 0000 5439 0872 7 133	PRIMARY BENEFICIARY LINDA SEATON FRIEND 100.00%	

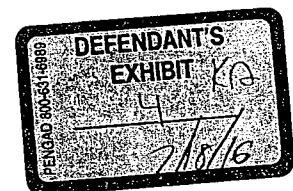
Notes:

- Information for Annuities held in accounts on the Ameriprise Brokerage Platform is not included. For Beneficiary Information refer to the Account Profile pages or the carrier.

FOR INTERNAL USE ONLY. NOT FOR USE WITH CLIENTS UNLESS DISCLOSURE IS PROVIDED.

View Corporate Entities and Important Disclosures, Website Rules and Regulations, Privacy & Security Center and About E-mail Fraud.

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061387C001044 000

Ameriprise Financial Services, Inc. 70400 Ameriprise Financial Center Minneapolis, MN 55474

**Ameriprise Brokerage
IRA Application**

Account Number 000

021

All sections must be completed. Please type or print clearly, and be sure to sign the application.
Provide a copy of the Brokerage Client Agreement Form 7722 to the client.

1. Account Holder Information

- An approved Client Profile Form 200152 for each client must be submitted prior to establishing an account.
- Submit Form 518 for address changes. • Submit Form 200015 for name changes.

Name (First, Middle Initial, Last)

John T Cameron

Social Security Number or Tax ID Number

055-50-8404

Name of Trust or Entity (For Beneficial IRA's Where Trust is Owner)

E-mail Address

Date Of Birth

11/09/1956

Providing your e-mail address to Ameriprise Financial will enable you to receive special offers, suited to your needs.

2. Internet Access
☒ I would like internet access to my account.
3. Money Settlement Option

Uninvested cash balances will sweep daily into Ameriprise Insured Money Market Account (AIMMA). AIMMA is an FDIC insured, interest-bearing account. FDIC insurance of up to \$100,000 on your cash deposits. For more information, see the AIMMA Terms and Conditions in your Client Agreement.

4. Account Registration - Select only one type of IRA and the appropriate Contribution type, if applicable

1. Type of IRA Establishing:	Contribution Amount	Tax Year	Contribution Amount	Tax Year	Contribution Type
☒ Traditional IRA	\$		\$		☐ Active
• Is this IRA for a minor? ☐ Yes - Attach form 402006 ☐ No					☐ Transfer
☐ Roth Contributory IRA	\$		\$		☒ Rollover
• Is this IRA for a minor? ☐ Yes - Attach form 402006 ☐ No					☐ Conversion
☐ Roth Conversion IRA	\$		\$		☐ SEP
☐ Rollover IRA	\$				☐ SIMPLE
☐ Inherited IRA (for use with transfers after death only)		☐ Traditional ☐ Roth			☐ Recharacterization
					IRA

as beneficiary of the deceased

	Contribution Amount	Tax Year	Contribution Amount	Tax Year
☐ SEP IRA	\$		\$	
☐ SIMPLE IRA	\$			

Required for SIMPLE/SEP:

SIMPLE/SEP Participation Date

(MMDDYYYY)

I am an employee of the employer sponsoring the SEP or SIMPLE plan ☐ Yes ☐ NoI am the sponsor of the plan using the AMPF prototype SEP or SIMPLE Plan Document ☐ Yes (attach a copy of the plan agreement) ☐ No

• If group bill is needed, fill out Form 3188.

Name of Company

Company EIN

Address

City

State

ZIP Code

☐ SIMPLE/SEP Plan Adoption Agreement is with another financial institution.

06138PC(U)1044 001

Please do not list children's names on the form for option A — D. Children's names will be requested at claim time.

5. Beneficiary Designation (Choose only one option. Do not write children's names if submitting option A-D.)

How This Beneficiary Designation Applies to Your IRA(s) (Does not apply to annuities)

- This beneficiary designation revokes (replaces) any previous IRA beneficiary designations you may have made to this IRA plan.
- This beneficiary designation applies to all investment accounts within this IRA plan held by Ameriprise Trust Company as custodian.
- No agent, attorney-in-fact, conservator, guardian or other person acting on your behalf may name or change the beneficiaries except as authorized in a Power of Attorney document or by court order.

If you do not name a beneficiary(ies) to this IRA, the default provisions of your IRA custodial agreement will apply.

Beneficiary Designation for Client (Choose only one option. Do not write children's names if submitting option A-D.)

- ☐ A. Spouse If Living, If not, Lawful Children With Rights of Survivorship. Beneficiary is: "_____, spouse, if living, if not, the beneficiaries are the children legally born to, or legally adopted by, the person identified in the relationship section above and they will receive equal shares of the proceeds; provided, however, that if a child has died, the share which the child would have received if he or she had survived will be equally divided among the surviving children. (Note: Step children, foster children, etc. are not included; use Option E, Other instead.)"
- ☐ B. Spouse If Living, If not, Lawful Children With Rights of Survivorship per Stirpes. Beneficiary is: "_____, spouse, if living, if not, the beneficiaries are the children legally born to, or legally adopted by, the person identified in the relationship section above and they will receive equal shares of the proceeds; provided, however, that if a child has died, the share which the child would have received if he or she had survived will be equally divided among the children legally born to or legally adopted by that deceased child, per stirpes. (Note: Step children, foster children, etc. are not included; use Option E, Other instead.)"
- ☐ C. Living Lawful Children, Equally With Rights of Survivorship. Beneficiary is: The living lawful children of the owner and they will receive equal shares of the proceeds; provided, however, that if a child of the owner has died before the owner, the share which the child would have received if he or she had survived the owner will be equally divided among the surviving children. (Note: Step children, foster children, etc. are not included; use option E, Other instead.)
- ☐ D. Lawful Children With Rights of Survivorship per Stirpes. Beneficiary is: The children legally born to, or legally adopted by, the person identified in the relationship section above and they will receive equal shares of the proceeds; provided, however, that if a child has died, the share which the child would have received if he or she had survived will be equally divided among the children legally born to or legally adopted by that deceased child, per stirpes. (Note: Step children, foster children, etc. are not included; use Option E, Other instead.)
- ☐ E. Other. Be sure that Primary and Secondary designations each total 100%. If an attachment is required to complete the beneficiary designation, make sure that the attachment is signed and dated by the owner(s). This designation will be considered with rights of survivorship unless otherwise indicated.

Primary/
Secondary
(check one
per line)
Required

Percent*
Required

- Full name of individual
- Organization or
- Name of Trust
Required

- Relationship of
Individual to owner
- Address of organization
- Street address of
non-family members
Required

- Date of trust
- Article or paragraph
number of will for
Testamentary Trust
Required

Date of Birth
NR

SSN/TIN
NR

RP CS 100 LINDA SEATON

CP CS

CP CS

CP CS

CP CS

CP CS

TRINER VILLAGE
ENCL MONROVIA NY
11940

*Both Primary and Secondary must equal 100%.

Sections marked as Required are required for processing the form. Sections marked as NR are not required for processing the form, but may provide useful information in the event of a claim.

- ☐ F. Text Other. Be sure that Primary and Secondary designations each total 100%. This designation is subject to the approval of the corporate office. (Use of the term "equally" shall be interpreted to mean with rights of survivorship.) If an attachment is required to complete the beneficiary designation, make sure that the attachment is signed and dated by the owner(s).

Check appropriate box to indicate Marital Status:

☒ Single ☐ Married (see Consent of Spouse) ☐ Widowed or Divorced

Consent of Spouse: The Consent of Spouse must be signed if all of the following conditions are present: (a) the spouse of the IRA owner is living, (b) the spouse is not the primary beneficiary named and (c) the IRA owner and spouse are residents of a community property state. (Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington and Wisconsin.)

I have reviewed the above beneficiary designation and, as the spouse of the IRA owner, I consent to the beneficiary designation and all contributions of money or property to be used for the purchase of such accounts to be issued in my spouse's name, whether heretofore, now or hereafter, and I relinquish all my statutory or other rights thereto:

IRA Owner's Spouse's Signature

X

[Signature]

Date

5/6/00

06138PC001044 (01)

IRA Beneficiary Designation:

- I understand and acknowledge that this beneficiary designation revokes any previous beneficiary designation I have made for this IRA and that this beneficiary designation applies to all investments and accounts within this IRA.
- I agree to indemnify the company harmless from any and all claims arising from this beneficiary designation.
- I agree that this acknowledgement and beneficiary designation shall be binding upon my heirs, legatees, executors, administrators, personal representatives, assigns and beneficiaries.

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number, and
 2. I am not subject to backup withholding because (a) I am exempt from backup withholding, (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of failure to report all interest or dividends, or (c) the Internal Revenue Service has notified me that I am no longer subject to backup withholding, and
 3. I am a U.S. person (including a U.S. resident alien).
- You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return.

By entering your name below, you signify that you have read, met, and agreed to all terms and conditions above. Please type your name in the space below, and if you are printing this page, also sign and date it before mailing.

Print Account Holder Name

Name of Trust or Entity

The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.

Account Holder Signature

X

This application was signed in the state of:

NY

Date

5/14/06

Check one: Team ID
☐ FS Comp %
☐ D Team ID
☐ Comp %

Servicing Advisor Signature

X

Area Office Number

Phone Number

627

516-797-7590

Servicing Advisor Signature

X

Area Office Number

Phone Number

Advisor Number

Ext.

Advisor Number

Ext.

584-7

258

IRA Designation of Beneficiary for IRAs Held by American Express Trust Company as Custodian

American Express
Financial Advisors Inc.
115 Tower 10
Minneapolis, MN 55440



Financial
Advisors

Geographic Service Team East

Bene-plan

COMPLETE THIS FORM IF YOU CHANGE YOUR EXISTING IRA BENEFICIARY DESIGNATION.
DOES NOT APPLY TO INDIVIDUAL RETIREMENT ANNUITIES.

Important: Please see page 2 of this form for instructions. Questions concerning the legal and/or tax effects of this beneficiary designation should be referred to your attorney.

SECTION 1 - How This Beneficiary Designation Applies to Your IRA

- This beneficiary designation revokes (replaces) any previous beneficiary designations you may have made.
- This beneficiary designation applies to all investment accounts within the IRA plan held by American Express Trust Company.
- This beneficiary designation applies to all your IRA plans held by American Express Trust Company as custodian. If you have more than one IRA plan with American Express Trust Company and you want to designate a different beneficiary for each IRA plan, do not use this form; complete and return Form 3993, Multiple IRA Plans Designation of Beneficiary.

SECTION 2 - Beneficiary Designation

You may choose only ONE option.

- ☐ A. Spouse if Living, if not, Living, Lawful Children With Rights of Survivorship. Beneficiary is: Owner's designated spouse, (full name) _____, if living, if not, the beneficiaries are the living lawful children of the owner and they will receive equal shares of the proceeds; provided, however, that if a child of the owner has died before the owner, the share which the child would have received if he or she survived the owner will be equally divided among the surviving children.
- ☐ B. Spouse and Per Stirpes. Beneficiary is: IRA owner's designated spouse, (full name) _____, if living, if not, the living lawful children of the owner equally, the survivors equally, or the survivor; provided, however, that if a child of the owner has died before the owner, the share which the child would have received if he or she survived the owner will be paid to his or her living lawful children or their direct descendants in equal shares.
- ☐ C. Children Living, Lawful, Equally With Rights of Survivorship. Beneficiary is: the living lawful children of the owner and they will receive proceeds in equal shares; provided, however, that if a child of the owner has died before the owner, the share which the child would have received if he or she survived the owner will be equally divided among the surviving children.
- | Name | Date of Birth | Social Security No. | Name | Date of Birth | Social Security No. |
|-------|---------------|---------------------|-------|---------------|---------------------|
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
- ☐ D. Children Per Stirpes. Beneficiary is: the living lawful children of the IRA owner equally, the survivors equally, or the survivor; provided, however, that if a child of the owner has died before the owner, the share which the child would have received if he or she survived the owner will be paid to his or her living lawful children or their direct descendants in equal shares.
- | Name | Date of Birth | Social Security No. | Name | Date of Birth | Social Security No. |
|-------|---------------|---------------------|-------|---------------|---------------------|
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
- ☐ E. Equally with Rights of Survivorship. Beneficiary is: the beneficiaries are as listed below and they will receive equal shares of the proceeds; provided, however, that if a beneficiary dies before the IRA owner, the share which the beneficiary would have received if he or she survived the owner will be equally divided among the surviving beneficiaries. (Attach separate page for additional beneficiaries.)
- | Name | Relationship | Date of Birth | Social Security Number |
|------------------|--------------|---------------|------------------------|
| HELEN L. CAMERON | MOTHER | _____ | _____ |
| JOAN M. WISE | SISTER | _____ | _____ |
| BARBARA L. FRICK | SISTER | _____ | _____ |
- ☐ F. With Rights of Survivorship. Beneficiary is: the beneficiaries are as listed below and they will receive the percentage of the share of the proceeds as indicated; provided, however, that if a beneficiary dies before the IRA owner, the share which the beneficiary would have received if he/she survived the owner, will be proportionately divided among the surviving beneficiaries. (Attach separate page for additional beneficiaries.)
- | Name | % | Relationship | Date of Birth | Social Security Number |
|-------|-------|--------------|---------------|------------------------|
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
- ☐ G. Other. Use this option only if none of the above options apply. This designation is subject to the approval of the corporate office. (Use of the term "equally" shall be interpreted to mean with rights of survivorship.)
- _____
- _____
- _____

SECTION 3 - Signature (This section must be completed in full by IRA owner)

Print Name of IRA Owner

John Cameron

Signature of IRA Owner

J. L. Cam

Client ID Number

1181529181001

Date

8/21/99

Check appropriate box to indicate Marital Status: ☐ Single ☐ Married (See Consent of Spouse) ☐ Widowed or Divorced

SECTION 4 - Consent of Spouse (See consent of spouse instructions on page 2)

I have reviewed the above beneficiary designation and, as the spouse of the IRA owner, I consent to the beneficiary designation and all contributions of money or property to be used for the purchase of such accounts to be issued in my spouse's name, which may be done hereafter, and I relinquish all my statutory or other rights therein:

Spouse's Signature

Date

AUG 30 1999

R11/583

General Instructions

This Beneficiary Designation applies to your Individual Retirement Account (IRA) held by American Express Trust Company as custodian. IT DOES NOT APPLY TO INDIVIDUAL RETIREMENT ANNUITIES ISSUED BY IDS LIFE INSURANCE COMPANY.

Please refer any questions you may have concerning the legal and/or tax effects of this beneficiary designation to your attorney.

SECTION 1 — How This Beneficiary Designation Applies to Your IRA

- This beneficiary designation revokes (replaces) any previous IRA beneficiary designations you may have made.
- This beneficiary designation applies to all investment accounts within the IRA plan held by American Express Trust Company as custodian. For example, if the investments under your IRA plan consist of two mutual funds, one limited partnership, and one certificate, this beneficiary designation will apply to all four investment accounts under your IRA plan.
- This beneficiary designation applies to all your IRA plans held by American Express Trust Company as custodian. If you have more than one IRA plan with American Express Trust Company, and you want to designate a different beneficiary for each IRA plan, do not use this form; complete and return Form 3993, Multiple IRA Plans Designation of Beneficiary.

SECTION 2 — Beneficiary Designation

YOU MAY CHOOSE ONLY ONE OPTION PER IRA PLAN. DO NOT CHECK MORE THAN ONE BOX.

- If you choose option A or B: Check the box, and insert the full name of the spouse in the blank.
- If you choose option C or D: Check the box. Listing the children's names is optional.
- If you choose option E or F: Check the box. The full name and relationship of each beneficiary MUST be listed. Listing the date of birth and Social Security number will result in a more efficient distribution at the time of settlement.
- If you choose option G: Use this option only if none of the above options apply. Check the box, and write the beneficiary designation in the space provided. See examples of other beneficiary designations, below. Use of the term equally will be interpreted to mean with rights of survivorship.

The designation "living lawful children" includes any living legitimate children born to or children legally adopted by the IRA owner before or after the date of this IRA Designation of Beneficiary.

Examples of Beneficiary Designations for the G "Other" option:

One Person:

Mary Smith, spouse, 100%.

One Person with Secondary:

Mary Smith, spouse, 100%, if living, if not, John Jones, friend, 100%. (Also include birthdate and Social Security number, if possible, to aid in identification at the time of estate settlement.)

Trust (You must provide name and date of trust):

The First National Bank of Anytown, 1234 Main Street, Anytown, Anystate, as Trustee of the Anytrust Trust, or its successors or successors in trust, under agreement dated _____, and supplements or amendments thereto, if said agreement shall then be in force.

Testamentary Trust:

The [trust name] Testamentary Trust named in [paragraph or article number] of the Last Will and Testament of [owner] provided, however, that the will is duly admitted to probate, and such Trustee(s) make claim for the proceeds accompanied by due proof of such trustee(s) appointment.

Corporation:

ABC Company, Inc., its successors or assigns. (Also include city and state where corporation is located for identification purposes.)

Minor under the Uniform Transfers to Minors Act: (UTMA)

John Smith as custodian for Mary Smith under the [state] Uniform Transfers to Minors Act, provided, however, that if John Smith shall predecease me, Ted Smith shall be successor custodian. (This designation is not allowed in the following states: Connecticut, Delaware, Michigan, Mississippi, New York, Ohio, South Carolina, Texas and Vermont.)

SECTION 3 — Signature

The IRA owner must sign and date the form.

SECTION 4 — Consent of Spouse

The Consent of Spouse must be signed if all of the following conditions are present: (a) the spouse of the IRA owner is living, (b) the spouse is not the primary beneficiary named and (c) the IRA owner and spouse are residents of a community property state (Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington and Wisconsin).

LAST WILL AND TESTAMENT

OF

JOHN CAMERON

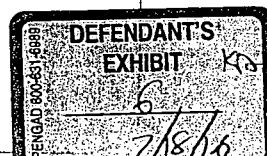
I, JOHN CAMERON, of the County of Suffolk and State of New York, declare this to be my Will, hereby revoking all my prior Wills or Codicils.

FIRST: All my just debts and funeral expenses, as well as the expenses of administering my estate, are to be paid as soon after my death as practicable.

SECOND: I give, devise and bequeath all my tangible personal property, to my mother, HELEN L. CAMERON, if she survives me. In the event she does not survive me, I give, devise and bequeath all my tangible personal property to my sisters, BARBARA L. CAMERON and JOAN WISE, in equal shares, to be divided by them in as nearly equal shares as are practicable.

THIRD: I give, devise and bequeath the real property I may own at the time of my death, including all buildings thereon and all rights and easements appurtenant thereto and all policies of insurance relating thereto, to my mother, HELEN L. CAMERON, if she survives me, or, if she does not survive me, to my sisters, JOAN WISE and BARBARA L. CAMERON, in equal shares, as tenants-in-common, or all to the survivor.

FOURTH: All the rest, residue and remainder of my estate, both real and personal, of whatsoever kind and wheresoever situated, of which I shall die seized or possessed or of which I shall be entitled to dispose of at the time of my death (my "residuary estate"), I give, devise and bequeath to my mother, HELEN L. CAMERON, if she survives me, or, if she does not survive



me, to my sisters, BARBARA L. CAMERON and JOAN WISE, in equal shares, *per stirpes*.

FIFTH: In the administration of any property, real or personal, forming a part of my estate, whether owned by me at the time of my death or subsequently acquired by my Executor, including any accumulated income thereof, my Executor, in addition to and not by way of limitation of the powers provided by law, shall, except as otherwise provided in this my Will, have the following powers to be exercised in his absolute discretion: to purchase or otherwise acquire and to retain any and all stocks, bonds, notes, or other securities, or any such variety of real or personal property, including interests in common trust funds and securities of or other interests in investment companies or investment trusts, whether or not such investments are of the character permissible for investments by fiduciaries and without regard to the effect any such investment or reinvestment may have upon the diversification of investments; to sell, lease, pledge, mortgage, transfer, exchange, convert or otherwise dispose of, or grant options with respect to, any and all property at any time forming a part of my estate in any manner, at any time or times, for any purposes, for any prices and upon any terms, credits and conditions; to borrow money from any lender, or any other fiduciary at any time acting hereunder, for any purpose connected with the protection, preservation or improvement of my estate, and as security to mortgage or pledge any real or personal property forming a part of my estate upon any terms and conditions; to compromise and adjust any claims or demands of my estate against others or of others against my estate; to make distributions in kind (including any satisfaction of pecuniary bequests) and to cause any distribution to be composed of cash, property or undivided shares in property different in kind from any other distribution without regard to the income tax basis of the property distributed to any beneficiary;

and to execute and deliver such instruments as may be necessary to carry out any of these powers. No person dealing with my Executrix shall be bound to see to the application or disposition of cash or property transferred to my Executor or to inquire into the authority for or propriety of any action by my Executor.

SIXTH: A. I appoint my mother, HELEN L. CAMERON, Executrix of this my Last Will and Testament. In the event she fails to qualify or ceases to act as Executrix, I appoint my sister, JOAN WISE, as Executrix in her place.

B. Whenever the term "Executor" or "Executrix" is used in this Will, it shall be deemed to refer to the Executor or Executrix acting hereunder from time to time.

SEVENTH: I direct that my Executor shall not be required to file any inventory of my estate nor shall he be required to give any bond. If, notwithstanding the foregoing direction, any bond is required by any law, statute or rule of court, no sureties shall be required thereon.

EIGHTH: Any Executor may resign from office without leave of court at any time and for any reason by filing a written instrument or resignation with the clerk of the appropriate court.

NINTH: All estate, inheritance, legacy, succession, transfer or other death taxes, including any additional estate tax on an excess retirement accumulation (including any interest and penalties on such taxes) imposed by any domestic or foreign taxing authority with respect to all property owned by me at the time of my death whether or not such property passes under this Will shall be paid out of my estate as an administration expense without apportionment within or outside my residuary estate.

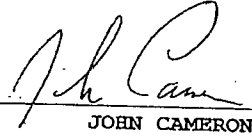
TENTH: If any person less than the age of twenty-five (25) years becomes entitled to a share of my estate upon my death or to a share of the principal of any trust estate upon termination thereof, such share shall be held by, and I give, devise and

bequeath the same to, the Trustees hereinafter named, IN TRUST, NEVERTHELESS, for the following uses and purposes: to manage, invest, and reinvest the same, to collect the income and to apply the net income and principal for such minor's benefit, to such extent and at such time or times as the Trustees, in their absolute discretion, deem advisable, until such minor reaches the age of twenty-five (25) years, and thereupon to transfer, convey, and pay over the principal of the trust, as it is then constituted, to such minor. Any net income not so applied shall be accumulated and added to the principal of the trust at least annually and thereafter shall be held, administered, and disposed of as a part thereof. Upon the death of such minor before reaching the age of twenty (25) years, the Trustees shall transfer, convey, and pay over, the principal of the trust, as it is then constituted, to such minors' executors or administrators.

The Trustees are authorized and empowered to hold as a part of such minor's trust any and all articles of tangible personal property at any time forming a part thereof. The Trustees shall have no duty to convert such articles to productive property, and the expenses of the safekeeping thereof, including insurance, shall be a proper charge against the trust.

If the Trustees, in the exercise of their absolute discretion, determine at any time not to hold or to continue to hold any property in trust, as hereinabove provided, they shall have full power and authority to transfer and pay over such property, without bond, to such minor's parent, the guardian of the person or property of such minor, or a custodian under any Gifts to Minor Act, and the receipt of the parent, guardian, or custodian shall be a full discharge to the Trustees from all liability with respect to the property so transferred and paid over.

IN WITNESS WHEREOF, I, JOHN CAMERON, have to this my Last Will and Testament, subscribed my name and set my seal this 11 day of August, 1999.


JOHN CAMERON

Subscribed and sealed by the Testator in the presence of us and each of us, and at the same time published, declared and acknowledged by him to be his Last Will and Testament, and thereupon, we at the request of the said Testator, in his presence and in the presence of each other, have hereunto subscribed our names as witnesses this 4th day of August, 1999.

Name: Lucy J. Campbell

Residing at: 1000 1st St. N. W.
Washington, D.C. 20001

Name: Robert P. Luce

Residing at: 1000 1st St. N. W.
Washington, D.C. 20001

AFFIDAVIT OF SUBSCRIBING WITNESSES

STATE OF NEW YORK)
) ss:
COUNTY OF NASSAU)

Each of the undersigned, individually and severally being duly sworn, deposes and says:

The within Will was subscribed in our presence and sight at the end thereof by JOHN CAMERON, the within named Testator, on the 11th day of August, 1999 at Garden City, New York.

Said Testator at the time of making such subscription declared the instrument so subscribed to be his Last Will and Testament. Each of the undersigned thereupon signed his name as a witness at the end of said Will at the request of said Testator and in his presence and sight and in the presence and sight of each other.

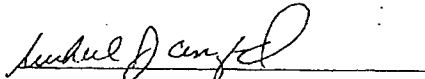
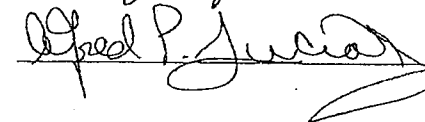
Said Testator was, at the time of so executing said Will, over the age of 18 years and, in the respective opinions of the undersigned, of sound mind, memory and understanding and not under any restraint or in any respect incompetent to make a Will.

The Testator, in the respective opinions of the undersigned, could read, write and converse in the English language and was suffering from no defect of sight, hearing or speech, or from any other physical mental impairment which would affect his capacity to make a valid Will. The Will was executed as a single, original instrument and was not executed in counterparts.

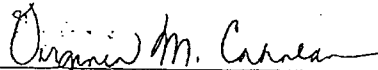
Each of the undersigned was acquainted with said Testator at such time and makes this affidavit at his request.

The within Will was shown to the undersigned at the time this affidavit was made and was examined by each of them as to the signatures of said Testator and of the undersigned.

The foregoing instrument was executed by the Testator and witnessed by each of the undersigned affiants under the supervision of Michael J. Comerford, Esq., an attorney-at-law.

Severally sworn to before me
this 11th day of August, 1999


Notary Public

VIRGINIA M. CAHALAN
Notary Public, State of New York
No. 01CA5088115
Qualified in Nassau County
Commission Expires October 6, 1999

Last Will
—((and))—
Testament
—((of))—

JOHN. CAMERON

MICHAEL J. COMERFORD, P.C.
1225 FRANKLIN AVENUE
GARDEN CITY, NY 11530
(516) 248-4817

oh
1

EXHIBIT "7"



BP0076055

RMC BK 0076 Pg 055 : pg 1 *

The State of South Carolina)
County of Charleston)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, That **Santee Carolina, LLC**, in the State aforesaid for and in consideration of the sum of **\$468,000.00** to IT in hand paid at and before the sealing of these presents by **John T. Cameron and Linda Seaton** in the State aforesaid for which the receipt whereof is hereby acknowledged, have granted, bargained, sold and released and by these presents do grant, bargain, sell and release unto the said **John T. Cameron and Linda Seaton**, as joint tenants, with the right of survivorship, and not as tenants in common, their heirs and assigns, forever, the following property, to wit:

ALL that certain piece, parcel or lot of land, together with the improvements thereon, if any, situate, lying and being in the Town of Mount Pleasant, County of Charleston, State of South Carolina, being shown and designated as "Lot 44" on a plat entitled "A FINAL SUBDIVISION PLAT OF HIBBEN PHASE 4 BELLE HALL PLANTATION OWNED BY PLANTATION PARTNERS LIMITED PARTNERSHIP LOCATED IN THE TOWN OF MOUNT PLEASANT, CHARLESTON COUNTY, SOUTH CAROLINA" by Southeastern Surveying of Charleston, Inc. dated March 25, 2005, and recorded October 17, 2005, in the RMC Office for Charleston County in Plat Book EJ, at Pages 289-290. Said lot having such size, shape, dimensions, buttings and boundings as will by reference to said plat more fully and at large appear.

BEING the same property conveyed to Santee Carolina, LLC by deed of Helen D. Todd dated February 23, 2006, and recorded October 25, 2006, in Book G-603, Page 339, in the RMC Office for Charleston County.

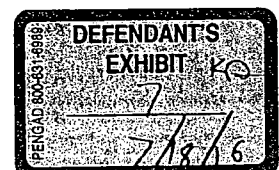
SUBJECT to all easements, restrictions, and rights of way of record.

TMS# 537-08-00-335

Grantees' address: 561 Galera Lane, Mt. Pleasant, SC. 29464

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned, unto the said Grantees hereinabove named, as joint tenants, with the right of survivorship, and not as tenants in common, their heirs and assigns, forever.

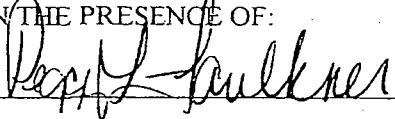
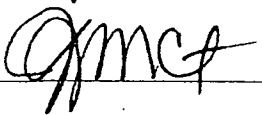


Grantor does hereby bind itself, its successors and assigns, to warrant and forever defend, all and singular, the said Premises, unto the said Grantees hereinabove named, and the Grantees' heirs and assigns against the Grantor and the Grantor's successors and assigns and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed this 17th day of August, 2009.

SIGNED, SEALED, AND DELIVERED
IN THE PRESENCE OF:

SANTEE CAROLINA, LLC

By:

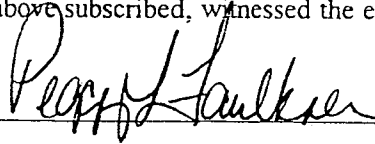
Harold W. Detwiler, Jr., Member

L.S.

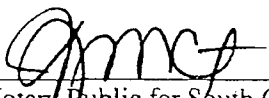
State of South Carolina)
County of Charleston)

PROBATE

PERSONALLY APPEARED before me the undersigned witness and made oath that (s)he saw the within named Santee Carolina, LLC, sign, seal and as its act and deed, deliver the within named instrument, and that (s)he with the other witness above subscribed, witnessed the execution thereof.



SWORN to before me this 17th
day of August, 2009.


Notary Public for South Carolina
My Commission Expires: 10/10/13

6. The DEED Recording Fee is computed as follows:

- (a) 468,000.00 the amount listed in item 4 above
 (b) _____ the amount listed in item 5 above (no amount place zero)
 (c) _____ Subtract Line 6(b) from Line 6(a) and place the result.

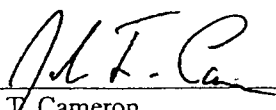
7. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Grantee.

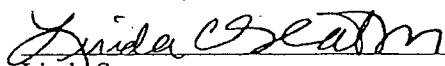
8. Check if Property other than Real Property is being transferred on this Deed.

- (a) _____ Mobile Home
 (b) _____ Other

9. _____ Deed of Distribution – Attorney's Affidavit: Estate of _____ deceased Case Number _____. Personally appeared before me the undersigned attorney who, being duly sworn, certified that (s)he is licensed to practice law in the State of South Carolina; that (s)he has prepared the Deed of Distribution for the Personal Rep. in the Estate of _____ deceased and that the grantee(s) therein are correct and conform to the estate file for the above named decedent.

I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.


 John T. Cameron
 Grantor, Grantee, or Legal
 Representative connected with this transaction


 Linda Seaton
 Grantor, Grantee, or Legal
 Representative connected with this transaction

SWORN to before me this 17th
 day of August, 2009.


 Notary Public for South Carolina
 My Commission Expires: 10/10/13

STATE OF SOUTH CAROLINA)
)
 COUNTY OF Charleston)

AFFIDAVIT

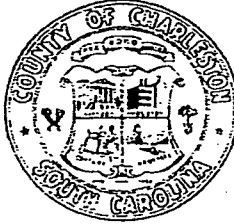
Date of Transfer of Title
 Closing Date 08/17/09

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
 2. The property being transferred **BY** Santee Carolina, LLC **TO** John T. Cameron and Linda Seaton **ON** 08/17/09.
 3. Check one of the following: **The DEED is**
 - (a) X subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
 - (c) _____ EXEMPT from the deed recording fee because (exemptions 1-12) (If exempt, please skip items 4-6, and go to item 7 of this affidavit.)
-
4. Check one of the following if either item 3(a) or item 3(b) above has been checked.
 - (a) X The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$468,000.00.
 - (b) _____ The fee is computed on the fair market value of the realty which is \$ _____.
 - (c) _____ The fee is computed on the fair market value of the realty as established for property tax purpose which is \$ _____.
 5. Check YES _____ or NO X to the following: A lien encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is \$ _____.

RECORDER'S PAGE

NOTE: This page MUST remain
with the original document



FILED
FILED BY:

J. LYNN MCCANTS
782 JOHNNIE DODDS BLVD.

PLEASANT SC 29465

MAKER:

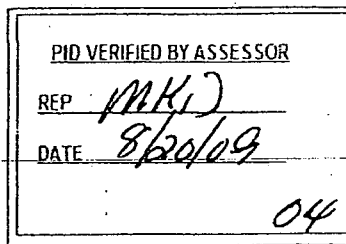
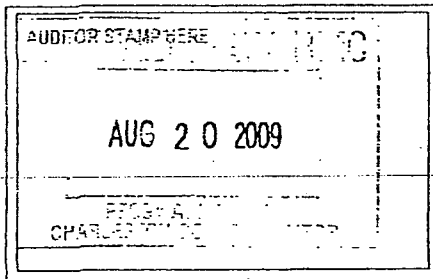
SANTÉE CAROLINA

RECIPIENT:

CAMERON JOHN AL

Original Book:

Original Page:



RECORDED

Date: August 18, 2009

Time: 3:31:57 PM

Book	Page	DocType
0076	055	Deed

Charlie Lybrand, Register
Charleston County, SC

of Pages: 5

Recording Fee	\$ 10.00
State Fee	\$ 1,216.80
County Fee	\$ 514.80
Extra Pages	\$ -
Postage	\$ -
Chattel	\$ -
TOTAL	\$ 1,741.60

DRAWER: Drawer 2
CLERK: SLW



0076
Book



055
Page



08/18/2009
Recorded Date



5
Pgs



Original Book



Original Page



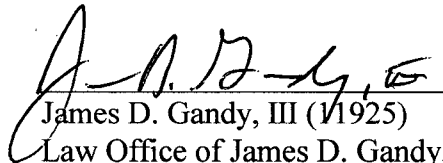
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15:31:57
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CERTIFICATE OF COUNSEL

I hereby certify that the Record on Appeal contains all matters proposed to be included by any of the parties and does not contain any other materials.



James D. Gandy, III (1925)

Law Office of James D. Gandy, III, LLC

Post Office Box 2326

Mt. Pleasant, South Carolina 29465

(843) 469-0800

Attorney for Appellant

RECEIVED

FEB 08 2017

SC Court of Appeals