

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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JAN 22 2018  
SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

J. C. Nicholson, Circuit Court Judge

Consolidated Case Nos. 2010-CP-10-5520; 2010-CP-10-7233;  
2012-CP-10-5559; 2013-CP-10-3733; 2013-CP-10-4175; 2013-CP-10-4176;  
2015 CP-10-5486; 2016-CP-10-1632

Appellate Case No. 2017-001996

John Doe 2 and Jane Doe 4, John Doe 10, Jane Doe 11,  
John Doe 193, Father Doe 194, John Doe 194, John Doe 245  
and Father Doe 245, and John Doe 297 ..... Appellants.

v.

The Bishop of Charleston, a Corporation Sole,  
Robert Gugliemone, The Bishop of Charleston, in his official capacity,  
Rev. Monsignor Martin Laughlin, former Administrator of the  
Diocese of Charleston, in his official capacity, Robert J. Baker,  
former Bishop of Charleston, in his official capacity,  
Lawrence E. Richter, Jr., David K. Haller,  
and Richter and Haller, LLC ..... Respondents.

**RESPONDENTS/LAWYER DEFENDANTS' RETURN IN OPPOSITION TO  
APPELLANTS/PLAINTIFFS' MOTION TO REINSTATE APPEAL**

Defendants / Respondents Lawrence E. Richter, Jr., Richter & Haller, LLC, and David K.  
Haller (the "Lawyer Defendants") hereby respond in opposition to the Motion to Reinstate  
Appeal filed by Plaintiffs / Appellants ("Plaintiffs").

In the motion, Plaintiffs' counsel contends that (1) he has not yet received the  
transcript of the summary judgment hearing from which he appeals and (2) he did not receive the

Court's letter of December 8, 2017, requesting an update. These contentions appear to be untrue.

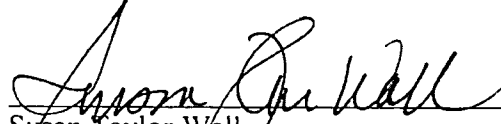
As to the transcript, the Court Reporter, Kay H. Richardson, states that she sent the transcript to Plaintiffs' counsel on November 27, 2017, **and that Plaintiffs' counsel's office confirmed receipt of the transcript on November 28, 2017.** (E-mails between Susan Taylor Wall, Esq. and Kay H. Richardson, court reporter, attached hereto as Exhibit A.) Therefore, Plaintiffs' initial brief was due no later than December 28, 2017, and Plaintiffs have no viable excuse for not filing on time.

As to the Court's letter of December 8, 2017, to which Plaintiffs' counsel failed to respond as the Court required, the letter is properly addressed to Plaintiffs' counsel at his regular office, and is publicly available through the C-Track system at [www.sccourts.org](http://www.sccourts.org). Therefore, it appears unlikely that the letter was unavailable to Plaintiffs' counsel. Regardless of receipt of the Court's letter, the initial brief was due 30 days after the transcript was received, and Plaintiffs failed to file their brief in a timely manner as required under the Rules without any valid excuse. Rule 208(a)(1), SCACR.

Because Plaintiffs did not file their initial brief on time and have not provided the Court any valid reason for not doing so, Plaintiffs' Motion to Reinstate Appeal should be denied.

**[SIGNATURE BLOCK APPEARS ON FOLLOWING PAGE]**

Respectfully submitted,



Susan Taylor Wall

Email: [swall@grsm.com](mailto:swall@grsm.com)

Henry W. Frampton, IV

Email: [hframpton@grsm.com](mailto:hframpton@grsm.com)

Gordon & Rees LLP

170 Meeting Street, Suite 110

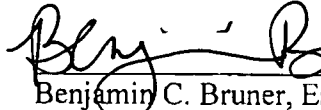
Charleston, SC 29401

Phone: (843) 714-2506

ATTORNEYS FOR RESPONDENT/ LAWYER

DEFENDANT

DAVID K. HALLER



Benjamin C. Bruner, Esq.

Email: [bbruner@brunerpowell.com](mailto:bbruner@brunerpowell.com)

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Columbia, SC 29260

Phone: (803) 252-7693

ATTORNEYS FOR RESPONDENT/LAWYER

DEFENDANTS

LAWRENCE E. RICHTER, JR. AND RICHTER

& HALLER, LLC

January 22, 2018

Charleston, South Carolina

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

J. C. Nicholson, Circuit Court Judge

Consolidated Case Nos. 2010-CP-10-5520; 2010-CP-10-7233;  
2012-CP-10-5559; 2013-CP-10-3733; 2013-CP-10-4175; 2013-CP-10-4176;  
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former Bishop of Charleston, in his official capacity,  
Lawrence E. Richter, Jr., David K. Haller,  
and Richter and Haller, LLC ..... Respondents.

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**PROOF OF SERVICE**

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I certify that I have served a copy of the foregoing **RESPONDENTS/LAWYER  
DEFENDANTS' RETURN IN OPPOSITION TO APPELLANTS/PLAINTIFFS'  
MOTION TO REINSTATE APPEAL** upon counsel of record by hand-delivery, at the  
addresses shown below, this 22<sup>nd</sup> day of January, 2018:

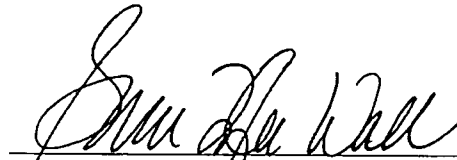
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SC Court of Appeals

Gregg Meyers, Esq.  
Pierce, Hems, Sloan & Wilson, LLC  
321 East Bay Street  
Charleston, SC 29401

Richard S. Dukes, Jr., Esq.  
Brian Kern, Esq.  
Turner Padgett  
40 Calhoun Street  
Suite 200  
Charleston, SC 29413

*Attorney for Appellants*

*Attorneys for Defendants The Bishop of  
Charleston, a Corporation Sole, Robert  
Gugliemone, the Bishop of Charleston, in his  
Official Capacity, Rev. Monsignor Martin  
Laughlin, Former Administrator of the  
Diocese of Charleston, and Robert J. Baker,  
Former Bishop of Charleston, in his Official  
Capacity*



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Susan Taylor Wall  
Gordon & Rees LLP  
170 Meeting Street, Suite 110  
Charleston, SC 29401

**EXHIBIT "A"**

**E-MAILS BETWEEN SUSAN TAYLOR WALL ESQ.  
AND KAY H. RICHARDSON, COURT REPORTER**

-----Original Message-----

From: Susan Wall [<mailto:swall@grsm.com>]  
Sent: Monday, December 04, 2017 4:34 PM  
To: 'Richardson, Kay H.'  
Cc: Robin Mobley  
Subject: RE: John Doe, et al. v. The Bishop of Charleston, et al. - 2010-CP-10-05520

Thank you so much.

Susan Taylor Wall  
Partner

Gordon Rees Scully Mansukhani

170 Meeting Street, Suite 110  
Charleston, SC 29401

Main Phone: 843-278-5900  
Direct Dial: 843-714-2506  
Mobile: 843-860-5506  
email: [swall@grsm.com](mailto:swall@grsm.com)

<http://www.grsm.com>

-----Original Message-----

From: Richardson, Kay H. [<mailto:KRichardson@sccourts.org>]  
Sent: Monday, December 04, 2017 4:34 PM  
To: Susan Wall  
Subject: Re: John Doe, et al. v. The Bishop of Charleston, et al. - 2010-CP-10-05520

Ms. Wall,

The transcript was forwarded to Mr. Meyers at the same time. His office confirmed receipt on November 28th.

Thanks!

Kay H. Richardson

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From: Susan Wall <[swall@grsm.com](mailto:swall@grsm.com)>  
Sent: Monday, December 4, 2017 10:48 AM  
To: Richardson, Kay H.  
Cc: Robin Mobley

Subject: RE: John Doe, et al. v. The Bishop of Charleston, et al. - 2010-CP-10-05520

Kay, Thank you. We have placed your invoice in line for prompt payment.

Please let me know if you also sent a copy of the transcript to Plaintiff's counsel, Gregg Meyers, on November 27. If not, please let me know the date that he received his copy.

Thank you and please let me know if you have any questions.

Susan Taylor Wall

Partner

Gordon Rees Scully Mansukhani

170 Meeting Street, Suite 110

Charleston, SC 29401

Main Phone: 843-278-5900

Direct Dial: 843-714-2506

Mobile: 843-860-5506

email: [swall@grsm.com](mailto:swall@grsm.com)

[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_www.grsm.com&d=DwIGaQ&c=YGvVmrQQ6VQOFx3Z93C9uQ&r=HX\\_N57uEYG2Auzn0mfQE2XF9e8IfO5jUMT7bS0vGWf8&m=rLXHlQx254DFR1iWeRJhBrFXCLM1xkNtGuQj7OvE5kw&s=rdwVDvhKEjLLvd7VBfzP79mole5BSjagKRRtoHPQPA4&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A_www.grsm.com&d=DwIGaQ&c=YGvVmrQQ6VQOFx3Z93C9uQ&r=HX_N57uEYG2Auzn0mfQE2XF9e8IfO5jUMT7bS0vGWf8&m=rLXHlQx254DFR1iWeRJhBrFXCLM1xkNtGuQj7OvE5kw&s=rdwVDvhKEjLLvd7VBfzP79mole5BSjagKRRtoHPQPA4&e=)

-----Original Message-----

From: Richardson, Kay H. [<mailto:KRichardson@sccourts.org>]

Sent: Monday, November 27, 2017 10:36 PM

To: Susan Wall

Subject: John Doe, et al. v. The Bishop of Charleston, et al. - 2010-CP-10-05520

Ms. Wall, \*

Attached please find a pdf version of the motion hearing held in this matter on July 20, 2017 before Judge Nicholson in Charleston. I have also attached a signed Certificate and an invoice.

Please let me know if you need a hard copy forwarded by regular mail to your office.

Thanks!?

Kay H. Richardson

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

SUSAN TAYLOR WALL  
SWALL@GRSM.COM  
DIRECT DIAL: (843) 714-2506

Admitted In: South Carolina  
California

**GORDON & REES**  
**SCULLY MANSUKHANI**

ATTORNEYS AT LAW  
170 MEETING STREET, SUITE 110  
CHARLESTON, SC 29401  
WWW.GRSM.COM

January 22, 2018

**VIA HAND DELIVERY**

Honorable Jenny Abbott Kitchings, Clerk  
The South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

Re: John Doe v. The Bishop of Charleston (2)  
Appellate Case No. 2017-001996

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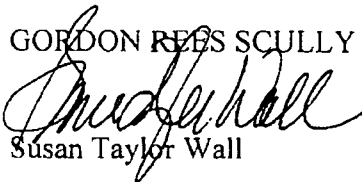
Dear Ms. Kitchings:

Please find enclosed the original and six (6) copies of Respondents/Lawyer Defendants' (Lawrence E. Richter, Jr., Richter & Haller, LLC and David K. Haller) Return in Opposition to Appellants/Plaintiffs' Motion to Reinstate Appeal.

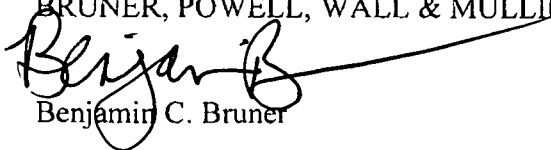
Also enclosed is the Proof of Service indicating that all counsel of record are served this date via hand-delivery.

Very truly yours,

GORDON REES SCULLY MANSUKHANI, LLP

  
Susan Taylor Wall

BRUNER, POWELL, WALL & MULLINS, LLC

  
Benjamin C. Bruner

STW:rgm

Enclosure

cc: Gregg E. Meyers, Esq.  
Richard S. Dukes, Esq.