

NEXSEN | PRUET

J. David Black
Member
Admitted in SC, DC

March 9, 2018

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MAR 09 2018

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RE: Tommie Rae Hynie Brown v. David C. Sojourner, Jr., in his capacity as Limited Special Administrator and Limited Special Trustee, Deanna Brown Thomas, Yamma Brown, Venisha Brown, Larry Brown, Terry Brown, and Daryl Brown et al.

In Re: The Estate of James Brown a/k/a James Joseph Brown
Appellate Case No. 2018-000104

- Charleston
- Charlotte
- Columbia**
- Greensboro
- Greenville
- Hilton Head
- Myrtle Beach
- Raleigh

Dear Ms. Kitchings:

I represent Russell L. Bauknight as the Personal Representative of the James Brown Estate and Trustee of the James Brown Irrevocable Trust. I am writing in reference to the Court's February 27, 2018 request for briefing on whether or not the orders challenged on appeal are immediately appealable.

On October 10, 2013 Judge Early appointed David C. Sojourner as Limited Special Administrator and Limited Special Trustee for the purpose of litigating the spousal dispute and will contest matters. This appeal stems from those matters delegated to Mr. Sojourner by the Court and, while Russell L. Bauknight, in his capacity as Personal Representative of the Estate and Trustee of the Trust, did not participate in the October 30, 2017 hearing dealing with the Motion to Compel Disclosure of Settlement Terms, we support Mr. Sojourner and Tommie Rae Brown's legal position that this appeal is not proper as it deals with discovery matters and, because the Orders on appeal are interlocutory in nature, they cannot be appealed at this time.

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The Honorable Jenny Abbott Kitchings

March 9, 2018

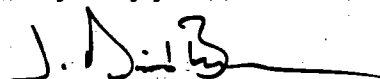
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The Estate and Trust would also point out that James Brown passed away over eleven years ago and that Judge Early has repeatedly directed the Estate and Trust to engage in settlement negotiations with all parties in an effort to resolve all issues surrounding Mr. Brown's Estate. Mr. Bauknight as the Personal Representative of the Estate and Trustee of the James Brown Irrevocable Trust has taken that directive very seriously; and as such, continues to engage in settlement negotiations with all parties.

Accordingly, to the extent that this Court seeks the Estate and Trust's position on this appeal, the Estate and Trust supports David Sojourner and Tommie Rae Brown's position that the Orders on appeal are interlocutory in nature, and as such, they cannot be appealed at this time. Thank you for your assistance in this matter.

With kind regards, I remain

Very truly yours,



J. David Black

JDB/hjr

cc:

John F. Beach, Esquire
S. Alan Medlin, Esquire
Robert N. Rosen, Esquire
Robert C. Byrd, Esquire