

THE STATE OF SOUTH CAROLINA

In the Supreme Court

RECEIVED

JUL 30 2018

S.C. SUPREME COURT

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Diane Schafer Goodstein, Circuit Court Judge

Circuit Court Case No. 2017-CP-1006629
Appellate Case No. 2018-001332

Ex Parte:

Lisa Fisher,Appellant

In re Bessie Huckabee, Respondent.....Respondent

v.

Candace Rickborn..... Defendant

**APPELLANT LISA FISHER'S MOTION TO CONSOLIDATE APPEALS
AND FORMAL RESPONSE TO LETTER OF JULY 20, 2018**

LISA FISHER, ESQUIRE (*Pro Se*)
P.O. Box 91112
Long Beach, CA 90809-1112
562-965-3267
lfisher6736@yahoo.com

(Appellant)

TO THE HONORABLE SUPREME COURT OF SOUTH CAROLINA AND ALL INTERESTED PARTIES:

Appellant Lisa Fisher files this formal motion as follows:

- 1) To respond to the Honorable Daniel E. Shearouse, clerk's letter of July 20, 2018, in this matter, In re Ex Parte Lisa Fisher, Case no. 2018-001332;
- 2) To request that the court consolidate this ejectment matter with the underlying case, Supreme Court case no. 2018-000566 ("underlying case" or "Supreme Court case"), because Lisa Fisher is aggrieved and has a right to appeal under Rule 201(b), SCACR .

**I.
INTRODUCTION**

While Appellant Lisa Fisher ("Appellant") understands that the litigation in this matter is complicated, she only seeks justice under the law and equity for her great aunt, her mother, and in this ejectment case, for her own interests not to be further financially aggrieved.

As this motion will show, resolution of the underlying matter, without consideration of this case, will lead to duplicative attorney fees against not only the defendant, Candace Rickborn, but Lisa Fisher, who was the actual person in control of the real property owned by Alice Shaw Baker. Appellant contends that the ejectment action was wrongfully filed, and meant only to harass the principle Lisa Fisher and the agent of Lisa Fisher.

On July 20, 2018, Appellant Lisa Fisher received a request to "explain what legal interest you have in this ejectment action after this Court's order dated June 13, 2018." (Attached hereto is a true and correct copy of said letter marked as Exhibit A). In this same letter, the clerk refused to consolidate this ejectment matter with the Supreme Court case.

It is important to note that in the underlying case , on July 23, 2018, the Honorable Judge Thomas L. Hughston issued a new order on post trial motions. The court “clarif[ied]” its judgement against Lisa Fisher, Betty Fisher, and John Hughes Cooper, Esquire in that motion.

Appellants Lisa Fisher and Betty Fisher are filing an Appeal on this order which they were not given an opportunity to be heard, and which incorrectly assesses attorney fees against them, however the effect of the July 23, 2018 order is that it charges Lisa Fisher (and her mother and Mr. Cooper) with charges related to the magistrates' action without an opportunity to participate in the ejectment action. Now, there is Judge Hughston's order which demonstrates that Lisa Fisher is suffering financial harm and damages without any opportunity to be heard in violation of due process and equal protection.¹

The July 23, 2018 order of Judge Hughston specifically states that:

"I incorrectly reduced her fees for actions regarding the ejectment of the tenant at Alice Shaw Baker's home. The actions reflected in her affidavit were in furtherance of my April 3, 2018 Order requiring the unauthorized occupant to vacate the home. The motion also maintains that she segregates and itemizes her hours related to other actions in a separate invoice and her affidavits reduces her totals [sic] fees for misattributed

¹ It also harms Betty Fisher, however Defendant Candace Rickborn's agency was only with Appellant. Judge Hughston's order is vague and ambiguous, and unintelligible how he apportioned the order and the fees related to the ejectment action. These issues should not apply to Betty Fisher or John Hughes Cooper either, so Appellant files this motion to ensure that the issues in the ejectment action are rectified and that the proper parties are given an opportunity to be heard.

hours."² (Attached hereto is a true and correct copy of said order marked as Exhibit B)

The language of Judge Hughston's order provides no clarity to Lisa Fisher and holds her responsible for fees attributed to the ejectment action. Attorney Crowley knew that Lisa Fisher was in control of the real property at the time of the wrongful filing of the ejectment action. She further knew that the Supreme Court had jurisdiction over the real property, due to the Petition for Certiorari in Case no. 2017-000743. This petition dealt specifically with the propriety of turning the property over to a Special Fiduciary. (Request for Judicial Notice of Supreme Court case no. 2017-000743.) The allegations about Candace Rickborn in the ejectment action were also false, and without an opportunity to be heard, Appellant is subject to liability.

Appellant Lisa Fisher attempted to resolve this issue in relationship to the ejectment action through a motion for joinder which Judge Goodstein denied, and which is subject to this appeal.

While Appellant may not have control over the real property, she still is aggrieved as follows:

² Although appellant was not given an opportunity to respond to Defendant's joint motion to reconsider, alter or amend modified order of judgment, there is both a corrective affidavit and an amended affidavit by Jessica Crowley regarding attorney fees. The affidavits make no factual assertion related to the ejectment action, instead relying solely on Attorney Crowley Billing.

Appellant should have been given an opportunity to object to said billing. Review of the billing itself demonstrates the financial harm being assessed upon Lisa Fisher. The billing states on p. 3 that Jessica Crowley included attorney fee charges for "notice of intent to inspect property and notice to vacate", "exhibits for magistrates court" back in February 2018, billing regarding the writ of supersedeas (which can not be included until resolution of the underlying matter), and on 4/4/18 she seeks additional billing for eviction. (Attached hereto is a true and correct copy of said motion marked as Exhibit C)

- 1) Judge Hughston's order has assessed attorneys' fees against Appellant (and Betty Fisher and John Hughes Cooper) with regard to the ejectment of Candace Rickborn;
- 2) As the principle holding control of Alice Shaw Baker's real property, Lisa Fisher was excluded from participating in the underlying ejectment action to prevent improper attorney fee assessment against both Candace Rickborn and herself.
- 3) She is being subjected to double dipping by Attorney Crowley, who knew or should have known, that she had no authority to seek ejectment of Candace Rickborn, when Lisa Fisher was the person in possession.
- 4) Finally, since the order of ejectment was of no effect, and it in fact, was the order of this Supreme Court for deliverance by Appellant, it is questionable who was the prevailing party in the ejectment action. Appellant has a right to appeal such action to prevent double billing and/or the necessity to indemnify Candace Rickborn.

Jessica Crowley's corrective affidavit falsely claims that her billing relates to the 4/3/18 order of Judge Hughston, but as set forth in the footnotes and Exhibits, Jessica Crowley's billing actually relates to the magistrates action, and as such, Appellant is aggrieved. Judge Hughston's order relies on Attorney Crowley's statement in her motion that: "The related ejectment action in the Magistrate's Court concerned parties other than the Plaintiffs in this action and work done on

that matter was segregated and itemized in separate invoice." (Ex. B, p. 4 reference Ex. C) However, her affidavit does not say this. At best, the court might have interpreted her statement that: "My total fees in the amount of \$32,461.75, which reflects reduction by \$1,350.00 for inadvertently misattributed fees, are properly attributed to this action and not to any of the related actions." (Ex. B, Motion, Ex. C, p. 2) At no time does she state that the work was segregated in separate invoices, and as outlined above in footnote 2, she charged for the time related to the magistrate ejectment action.

Appellant respectfully contends that she meets the legal definition of an aggrieved person under 201(b), SCACR, and that Appellant Lisa Fisher must be allowed to proceed. Moreover, as shown by the new order of Judge Hughston of July 23, 2018, the matter are inexplicably intertwined, and should therefore be consolidated.

II.
APPELLANT LISA FISHER IS AN AGGRIEVED PERSON AND SHE HAS STANDING TO PROCEED IN THIS ACTION.

A. Based on the Improper Imposition of Attorney Fees and Interfered with Appellant's Right to Defend, She is an Aggrieved Party for purposes of Appeal.

It is well settled that a party is aggrieved by a judgement or decree, for purposes of determining whether the party can appeal, when it operates on his or her rights of property or bears directly on his or her interest. (See *Powell ex rel. Kelley v. Bank of America*, 379 S.C. 437 (2008); *State v. Rearick*, 417 S.C. 391 (2016).)

The court in *Shaw v. City of Charleston*, 351 S.C. 32 held that Defendant city was an "aggrieved party," under the rule allowing only persons aggrieved by order, judgement or sentence to appeal, regarding trial court's grant of summary judgement to co-defendant in

pedestrian's action alleging negligence and joint and several liability against city and co-defendant, and thus city had standing to appeal, since **inclusion or exclusion** of co-defendant in action drastically affected city's exposure to liability.

Shaw further defined "aggrieved as where a person is aggrieved by an order including where there is an imposition on the party of a "burden or obligation."

In *Realty Co. v. Beaufort Co*, 346 S.C. 298 (2001), the Court of Appeals found that a conservation group were not aggrieved because they only showed future harm. Here, Lisa Fisher has already been assessed damages on a judgement in the Supreme Court case. Those damages are based in part on the wrongful eviction of Candace Rickborn, and the false representations in this case.

B. Attorney Crowley, on Behalf of Bessie Huckabee, Improperly Sued Candace Rickborn, and Subjected Lisa Fisher to Damages for Indemnification, as Such Appellant is an Aggrieved Person and has Standing to Appeal.

Under the doctrine of respondeat superior, an injured party can elect to sue both the principal and the agent, but is not required to sue the agent to recover from the principal. *Gause v. Smithers*, 742 S.E.2d 644 (S.C. 2013).

A necessary party is one whose rights must be ascertained and settled before the rights of the parties to the action can be determined. *Simon v. Strock*, 209 S.C. 134, 39 S.E. (2d) 209 (1946).

It is mandatory that a necessary party be brought into the action. *Schroder v. Antipas*, 214 S.C. 87, 51 S.E. (2d) 365 (1949); S.C. Code Ann. § 15-5-200 (1976).

At the time of the ejectment action, Appellant filed a brief requesting to be heard in the underlying action. In the appeal she filed a motion for joinder. She asserted a fiduciary duty and

noted the stay from the Supreme Court action/Petition for Writ of Certiorari. Appellant reasoned that she had a duty to control the real property, and asserted control of the property. Candace Rickborn asserted no rights and had no control over the property. The necessary party that had to be included was Appellant who held the property, and she is the one who is subject to harm by these proceedings. The ejectment action should only have been for possession, and yet Attorney Crowley is asserting attorney fee damages.

Judge Hughston has treated this case as if all of the cases were consolidated, and that he had a right to grant fees and make orders on the probate, the conservatorship/guardian action, the magistrate, the civil, and this Supreme Court. However, it is clear under south Carolina law that the parties and the pleadings are not merged, and each action retains its own identity. *Keels v. Pierce*, 315 S.C. 339, 433 S.E.2d 902 (1993); *Sarvghad v. Sitton Buick Co.*, 312 S.C. 429, 440 S.E.2d 894 (Ct. App. 1994). Hence, the trial court must submit separate verdict forms to the jury in the consolidated actions, and the failure to do so is reversible error. *Sarvghad v. Sitton Buick Co.*, 312 S.C. 429, 440 S.E.2d 894 (Ct. App. 1994).

More important, Appellant was entitled to **notice** and a right to be heard under the Constitutional principles of due process and equal protection. She had none. Now, she is subject to liability for indemnity to Candace Rickborn. She has already been charged with attorney fees for the magistrates' case and the Supreme Court Appeal!

Appellant Now has learned that there still is another hearing on the magistrate's action to award attorney fees and costs to Bessie Huckabee. Again, Lisa Fisher will not be able to participate, and yet again, she will be liable. Attorney Crowley is attempting to gain double damages again.

In this case, Candace Rickborn was at the property at the request and direction of Lisa Fisher. She was not in privity with Bessie Huckabee. She had no agreement with Bessie

Huckabee. She was not engaged in any wrongful conduct. She was not entitled to deliver the property, and as was demonstrated by this Supreme Court's order of June 13, 2018, Candace Rickborn, in fact did not deliver the property, Appellant did. Implicitly by the Supreme Court's order, there was a finding that Appellant was in control of the real property.

III.

THIS MATTER SHOULD BE CONSOLIDATED, BECAUSE ALL OF THE LEGAL ISSUES ARE INTERTWINED WITH THE QUESTIONS PRESENTED BEFORE THIS SUPREME COURT

The clerk denied Appellant's request to consolidate this matter. Therefore, Appellant files this formal motion to have this court consider the issues of the case.

This court has authority to consolidate matters that involve common questions of law and fact. The standard set forth in Rule 42 (a) provides that when there are actions pending before the same court that involve "common questions of law or fact," the court "may order a joint hearing or trial of any or all matters in issue in the action; it may order all the actions **consolidated**; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs and delay."

As set forth in this motion, this ejectment appeal is subjecting Appellant to attorney fees and liability, and for that reason, Appellant is entitled to appeal, and the issues in the related appeal common to this case.

She respectfully requests that the court grant this motion to ensure that the issues raised in this motion will not be subject to double liability and/or duplication of efforts.

July 27, 2018

RESPECTFULLY SUBMITTED,

LISA FISHER
P.O. Box 91112
Long Beach, CA 90809-1112
562-965-3267
lfisher6736@yahoo.com

THE STATE OF SOUTH CAROLINA

RECEIVED

In the Supreme Court

JUL 30 2018

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

S.C. SUPREME COURT

Diane Schafer Goodstein, Circuit Court Judge

Circuit Court Case No. 2017-CP-1006629
Appellate Case No. 2018-001332

Ex Parte:

Lisa Fisher,Appellant

In re Bessie Huckabee, Respondent.....Respondent

v.

Candace Rickborn..... Defendant

PROOF OF SERVICE

I certify that I have served **APPELLANT LISA FISHER'S MOTION TO CONSOLIDATE APPEALS AND FORMAL RESPONSE TO LETTER OF JULY 20, 2018** upon Respondent and upon all parties by depositing a copy of it in the United States Mail, postage prepaid, on July 27, 2018 addressed as follows:

The Honorable Diane Schafer Goodstein
5200 East Jim Bilton Blvd.
Post Office Box 234
St. George, SC 29477

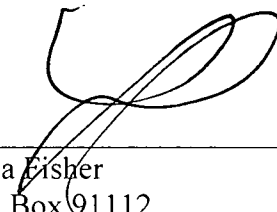
Neil Thomson, Esquire
Ford Wallace Thomson LLC
715 King St.
Charleston, SC 29403

Jessica L. Crowley, Esquire
PO Box 30189
Charleston, SC 29417

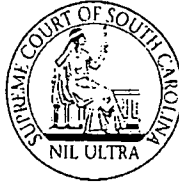
Courtesy copy:

W. Westbrook Wills III, Esquire
PO Box 822
Folly Beach, SC 29439

July 27, 2018



Lisa Fisher
PO Box 91112
Long Beach, CA 90809-1112
562-965-3267



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

July 20, 2018

Ms. Lisa Fisher
P. O. Box 91112
Long Beach CA 90809-1112

Re: Ex Parte Lisa Fisher.
Appellate Case No. 2018-001332
Lower Court Case No. 2017CP1006629

Dear Ms. Fisher:

This Court has received your *pro se* notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review

Ex A

filings for redaction or to determine if materials should be sealed.

Since this case arises out of a different circuit court case than that involved in Appellate Court Case Number 2018-000566, I will not consolidate these two cases as you have suggested.

I do not understand why the caption used in the circuit court reversed the order of the parties from that before the magistrate in 2017CV1010903280. Therefore, the caption before this Court will be:

Ex Parte Lisa Fisher, Appellant.

In Re Bessie Huckabee, Respondent,

v.

Candance Rickborn, Defendant.

Please use this caption on all further filings in this case.

Finally, in light of the order issued by this Court in Appellate Court Case Number 2018-000566 on June 13, 2018, placing control of all of the real and personal property of the estate in Bessie Huckabee as the personal representative, it is not clear what legal interest you now have in this ejectment action. While you assert that you are aggrieved in the notice of appeal, I ask that you please explain what legal interest you have in this ejectment action after this Court's order dated June 13, 2018. This explanation should be provided within ten (10) days of the date of this letter.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized initial 'D' followed by a series of loops and a long horizontal stroke extending to the right.

CLERK

cc: Jessica Lynn Crowley, Esquire
Neil Davis Thomson, Esquire
W. Westbrook Wills III, Esquire

Betty Fisher, et al.
 PLAINTIFF(S)

Bessie Huckabee, et al.
 DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff	<input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant	

2010 JUL 20
 FILED
 APR 11 09

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

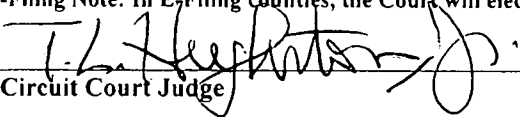
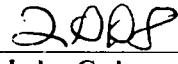
This order ends does not end the case.
 Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
The Estate of Alice-Shaw Baker	Betty Fisher and Lisa Fisher	\$78,596.02
Peter A. Kouten	Lisa Fisher, Betty Fisher, and John Hughes Cooper	\$78,872.43
W. Westbrook Wills, III	Lisa Fisher, Betty Fisher, and John Hughes Cooper	\$59,289.50
Jessica L. Crowley	Lisa Fisher, Betty Fisher, and John Hughes Cooper	\$32,461.75
If applicable, describe the property, including tax map information and address, referenced in the order: N/A		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest

EX 10

or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.
Note: Title abstractors and researchers should refer to the official court order for judgment details.
E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

 _____ Circuit Court Judge	 _____ Judge Code	07/23/2018 _____ Date
-------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------	-----------------------------

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CASE NO.: 2009-CP-10-3010

BETTY FISHER and LISA FISHER,)
Plaintiffs,)

vs.)

BESSIE HUCKABEE, KAY)
PASSAILAGUE SLADE, and SANDRA)
BYRD,)
Defendants)

ORDER

FILED
2018 JUL 23 AM 11:09
JULIA A. WOODS
CLERK OF COURT

Relevant Procedural History

THIS MATTER is currently before me on both parties' post-trial motions. I previously ruled on these motions and imposed Judgments against Plaintiffs and their attorneys by Order filed March 21, 2018. Thereafter, both parties filed motions to reconsider and Plaintiffs filed for a writ of supersedeas. I ruled on those motions and amended the Judgments against Plaintiffs and their attorneys by Order filed May 29, 2018. Then on May 31, 2018, Defendants' counsel filed a motion to reconsider the Judgments requesting a combined additional \$15,953.75 for services performed after the March 21, 2018 Order. Plaintiffs filed an objection to the current and any additional award of attorney's fees. However, unbeknownst to me, the day before my May 29th Order the Supreme Court issued a temporary stay on all Orders pending its ruling on Plaintiffs' writ of supersedeas. On June 13, 2018, the Supreme Court denied Plaintiffs' writ and vacated my May 29, 2018 Order. As a result, I revisited the parties' motions to reconsider and issued my Order on June 29, 2018. I then discovered a scrivener's error—Betty Fisher was omitted from the judgments I imposed—and corrected that in my July 9, 2018 Order. Subsequently, Defendants filed a Motion to

#1
T.W.D.

Reconsider the issue of attorney's fees and counsel for attorney John Hughes Cooper requested clarification as to the judgments against him. I now clarify the judgments below and, for the reasons stated herein, Grant Defendants' motion.

Defendants' Motion to Reconsider Award of Attorney's Fees

I initially awarded Defendants their attorneys' fees in the amount of \$157,539.93. After consideration of Plaintiffs' objections and further review of Defendants' attorneys' affidavits, I subtracted amounts that appeared to be attributable to other related actions. After review of Defendants' motion to reconsider and upon further consideration of this issue, I realize that I incorrectly evaluated Defendants' affidavits. I was under the impression that Attorney Willis substituted attorney Kouten as counsel for both the Estate and the individual Defendants. As it turns out, attorney Kouten maintained his representation of the Personal Representative until his appointment to Probate Judge in 2017. As for the reduction of attorney Crowley's fees, I incorrectly reduced her fees for actions regarding the ejection of the tenant at Alice Shaw-Baker's home. The actions reflected in her affidavit were in furtherance of my April 3, 2018 Order requiring the unauthorized occupant to vacate the home. The motion also maintains that she segregates and itemizes her hours related to other actions in a separate invoice and her affidavit reduces her total fees for misattributed hours.

For these reasons, I Grant Defendants' motion and amend my award of attorney's fees for attorneys Peter Kouten and Jessica Crowley. I award attorney Peter Kouten his reasonable attorney's fees in the amount of \$78,872.43 and attorney Jessica Crowley her reasonable attorney's fees in the amount of \$32,461.75.

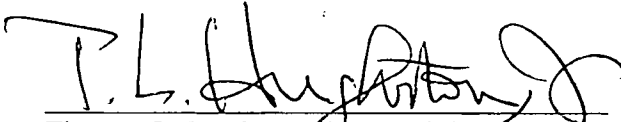
#2
T.L.H.

Clarification of Judgments

As it currently stands, the record of judgments on the Public Index page reflects two Judgments against John Hughes Cooper—\$253,969.31 and \$65,151.34. However, I intended to amend my Judgment against attorney Cooper to reflect only those Judgments listed in my July 9, 2018 Order. To clarify this, I now vacate the Judgments listed in my March 21, 2018, Order. The remainder of that Order remains effective. Likewise, my July 9, 2018 Order is also affirmed except as modified herein. To add further clarity and avoid ambiguities, the following is a current summary of the Judgments imposed by me: \$78,596.02 against Betty Fisher and Lisa Fisher, jointly and severally, in favor of The Estate of Alice Shaw-Baker; \$78,872.43 against Betty Fisher, Lisa Fisher, and John Hughes Cooper, jointly and severally, in favor of Peter A. Kouten; \$59,289.50 against Betty Fisher, Lisa Fisher, and John Hughes Cooper, jointly and severally, in favor of W. Westbrook Wills, III; and \$32,461.75 against Betty Fisher, Lisa Fisher, and John Hughes Cooper, jointly and severally, in favor of Jessica L. Crowley. This brings the total Judgment for improper expenditures to \$78,596.02 and the total Judgment for attorney's fees to \$170,623.68, which combines for a total Judgment of \$249,219.70.

AND IT IS SO ORDERED.

July 23, 2018
Charleston, South Carolina


Thomas L. Hughston, Jr., Presiding Judge

#3

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT

COUNTY OF CHARLESTON)

CASE NO.: 2009 -CP-10-3010

Betty Fisher, et al.,)

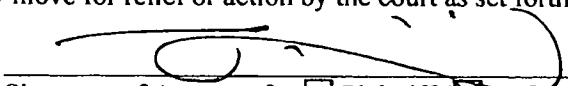
**MOTION AND ORDER INFORMATION
FORM AND COVERSHEET**

Plaintiff,)

vs.)

Bessie Huckabee, et al.,)

Defendant.)

Plaintiff's Attorney: <u>Lisa Fisher, pro se</u> , Bar No. _____ Address: <u>PO Box 91112</u> <u>Long Beach, CA 90809</u> Phone: _____ Fax _____ E-mail: _____ Other: _____	Defendant's Attorney: <u>W. Westbrook Wills, III</u> , Bar No. <u>76681</u> Address: <u>PO Box 822</u> <u>Folly Beach, SC 29439</u> Phone: <u>(843) 805-6300</u> Fax _____ E-mail: <u>wwills@wwillslaw.com</u> Other: _____
<input checked="" type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) <input type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) <input type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)	
SECTION I: Hearing Information	
Nature of Motion: <u>Motion to Reconsider</u> Estimated Time Needed: <u>30 minutes</u> Court Reporter Needed: <input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO	
SECTION II: Motion/Order Type	
<input checked="" type="checkbox"/> Written motion attached <input type="checkbox"/> Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order.	
 Signature of Attorney for <input type="checkbox"/> Plaintiff / <input checked="" type="checkbox"/> Defendant	<u>July 19, 2018</u> Date submitted
SECTION III: Motion Fee	
<input checked="" type="checkbox"/> PAID - AMOUNT: \$ _____ <input type="checkbox"/> EXEMPT: (check reason)	
<input type="checkbox"/> Rule to Show Cause in Child or Spousal Support <input type="checkbox"/> Domestic Abuse or Abuse and Neglect <input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party <input type="checkbox"/> Sexually Violent Predator Act <input type="checkbox"/> Post-Conviction Relief <input type="checkbox"/> Motion for Stay in Bankruptcy <input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRCP) <input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions Name of Court Reporter: _____ <input type="checkbox"/> Other: _____	
JUDGE'S SECTION <input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____	JUDGE CODE _____ Date: _____
CLERK'S VERIFICATION	
Collected by: _____ Date Filed: _____ <input type="checkbox"/> MOTION FEE COLLECTED: \$ _____ <input type="checkbox"/> CONTESTED - AMOUNT DUE: \$ _____	

Ex C

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)
)
BETTY FISHER and LISA FISHER,)
)
Plaintiffs,)
)
vs.)
)
BESSIE HUCKABEE, et al.,)
)
Defendants,)
)
In the Matter of)
Alice Shaw-Baker.)
_____)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT

CASE NO.: 2009-CP-10-3010

**DEFENDANTS' JOINT MOTION
TO RECONSIDER, ALTER OR
AMEND MODIFIED ORDER OF
JUDGMENT**

FILED
2018 JUL 19 PM 4:51
JULIE J. ARMSTRONG
CLERK OF COURT

COMES NOW Bessie Huckabee, Kay Passailaigue Slade, and Sandra Byrd, pursuant to Rule 59(e), SCRPC, and respectfully move the Court to reconsider, alter or amend its Order of Judgment, signed and filed on July 9, 2018 (attached hereto as Exhibit "A"), for the reasons set out below, showing as follows:

In the Court's Order dated April 21, 2018, following bifurcated trial on a will contest, this Court entered a judgment against Plaintiffs and their attorney in the amount of \$548,720.16. The judgment included award of attorney's fees in the amount of \$157,539.93, which represented the Defendants' attorneys' fees, as reflected in counsels' amended attorneys' fees affidavits submitted on March 13, 2018 at the time of trial on the bifurcated equitable claims, which included their time through that date. Additional judgments against the plaintiffs and their attorneys were awarded in the amount of \$391,180.23 as sanctions pursuant to the Frivolous Claims Proceedings Act, as requested by Defendants in post trial motions filed following the jury trial on the will contest. Plaintiffs filed post-trial motion for reconsideration and a six-hour hearing was held on said motion on May 21, 2018, wherein additional testimony was taken. On

May 29, 2018, this Court entered an order, with amended judgment in the amount of \$236,135.95, but which Defendants believed only applied to the award of damages against Betty and Lisa Fisher to include their attorneys' fees, and not to the award of damages against John Hughes Cooper in the amount of \$65,151.34. On May 31, 2018, Defendants' counsel filed Motion for Reconsideration because the fees indicated therein did not include fees Defendants necessarily incurred in defending the remaining matters before the Court, including those associated with Plaintiffs' post-trial motions for reconsideration and for supersedeas, and a six-hour hearing on those motions. Defendants' motion requested additional fees incurred in the amount of \$15,953.75.

On June 14, 2018, the Supreme Court issued an order denying Plaintiffs' motion for supersedeas, lifting the temporary stay it had issued on May 24, 2018, and vacating this Court's May 29, 2018 Order. Subsequently, on June 29, 2018, this Court executed a new Order appearing to have awarded the additional fees requested in the previous motion for reconsideration, but then reducing its award of attorneys' fees in favor of attorney's Crowley and Kouten as well as other sanctions it had previously awarded assessed against the Plaintiffs and their attorney.

Following this Court's most recent Order, counsel for John Hughes Cooper sent a letter asking for clarification as to the final judgment and the Court clarified that the total final judgment amount was in fact the \$236,135.95, a 43% reduction. Furthermore, the Court, in its most recent Order of July 9, 2018, appears to have removed the sanctions against John Hughes Cooper individually for \$64,151.34. The Court's latest Order does not address or discuss the removal of that sanction against Mr. Cooper, and Defendants' ask the Court to reconsider that removal, or clarify its basis for doing so.

The Court's reduction in its attorneys' fee award appears to have been based, at least in part, on Plaintiffs' objections to Defendants' Motion to Reconsider they filed on June 11, 2018. The Court indicates in its June 29th Order that it subtracted from its award of fees amounts attributable to other related actions. However, the specified amounts reflect fees necessarily incurred or attributable to this action, and not to other actions as suggested by Plaintiffs in their objections. In its most recent Order, the Court reduces the fees awarded to Peter Kouten, by \$43,557.43, purportedly due to the fact that Attorney Wills was substituted as counsel on October 14, 2013. However, Attorney Wills appeared as separate counsel for the beneficiaries of the estate only in response to Plaintiffs' insistence that Peter Kouten's representation of both the Estate and the beneficiaries created a non-waivable conflict of interest. Subsequent to attorney Wills's appearance on behalf of the beneficiaries, attorney Kouten continued in his representation of Bessie Huckabee as Personal Representative of the Estate of Alice Shaw-Baker until such time as he was appointed Probate judge in 2017. Thereafter, attorney Crowley was substituted for attorney Kouten as counsel of record for the Personal Representative of the Estate of Alice Shaw-Baker. (See Affidavit of Peter A. Kouten attached hereto as Exhibit "B"). The affidavit of fees submitted by Peter Kouten reflects legal fees in the amount of \$78,872.43 related to Fisher v. Huckabee, 2009-CP-10-3010 or cases born of or related to it, and Defendants would argue are properly awardable under the Uniform Frivolous Litigation Act. Defendants would ask the Court to reconsider removing those portions of Mr. Kouten's fees which will otherwise remain chargeable to the Estate.

As to Attorney Crowley's hours, the Court, in its Order dated June 29, 2018, reduced her award of fees by \$9,819.25 because of the Court's understanding that that amount corresponded to fees incurred in other related actions, specifically the ejectment action in the Magistrate Court

against Candace Rickborn, an unauthorized occupant of real property belonging to the Estate. However, Attorney Crowley's hours, as reflected in her attorney fee affidavit, were all directly and necessarily related to this matter. All actions regarding ejecting the unauthorized tenant from the real property of the Estate were in furtherance of this Court's April 3, 2018 Order requiring unauthorized occupant to vacate within seven days, and to coordinate with the Sherriff to effectuate the transfer and possession of the property to the Estate. The related ejectment action in the Magistrate's Court concerned parties other than the Plaintiffs in this action, and work done on that matter was segregated and itemized in a separate invoice. (See Affidavit of Jessica L. Crowley, Esq., attached herein as Exhibit C). Attorney Crowley's Affidavit of Attorney's Fees and combined invoices in the amount of \$32,461.75 are properly attributable to this case and not to the related actions, which are separately invoiced.

Defendants believe it was the intention of the Court, in its Order of Judgment, to award Defendants the totality of their attorneys' fees and costs related to this action, and respectfully request the Court reconsider, alter, or amend its judgment to include a judgment against Plaintiffs, jointly and severally, for attorneys fees, if the Court finds them reasonable, in the total amount of \$171,793.69 [See Affidavits of Crowley and Kouten attached hereto (Crowley signaling a reduction of \$1350.00 for fees related to proceedings in the Magistrate and Supreme Courts inadvertently included in her prior affidavit of fees)].

The Court, in its May 29, 2018 Order of Judgment, holds Lisa Fisher in Contempt of Court for her failure to supply ordered financial information. The Court previously issued its Order and Rule to Show Cause on April 4, 2018 (attached hereto as Exhibit "D"), after Lisa Fisher failed to comply with its orders to turn over not only her financial information, but also "all assets belonging to the Estate of Alice Shaw-Baker." The Court's Order and Rule to Show

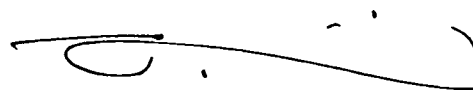
Cause specifies that Lisa Fisher “can avoid this by immediately delivering the keys, the jewelry, and the savings bonds to the Charleston County Clerk of Court . . . [a]lso, she still needs to supply the ordered financial information.” In addition to failing to produce to the Court her financial information, Ms. Fisher has also failed to produce certain other assets belonging to the Estate of Alice Shaw-Baker.

Defendants respectfully request the Court reconsider, alter, or amend its Order of Judgment to hold Lisa Fisher in contempt of Court for also failing to deliver those items as ordered, and that she be penalized in the same manner, although that she be also required to deliver “all assets belonging to the Estate of Alice Shaw-Baker,” including the above-listed items, in order to purge her contempt.

Finally, to clarify and properly respond to any objections to the above matters, and particularly any issues regarding counsel for Defendants’ attorney’s fees, Defendants respectfully request a hearing on the present motion. Defendants’ Memorandum of Law and points of authority in support of this Motion will follow.

Respectfully submitted,

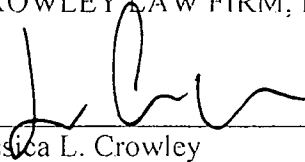
LAW OFFICE OF
W. WESTBROOK WILLS, III



W. Westbrook Wills, III
P.O. Box 822
Folly Beach, SC 29439
Tel. (843) 805-6300
wwills@wwillslaw.com
*Attorney for Bessie Huckabee, Kay
Passailaigue Slade, and Sandra Byrd*

-and-

CROWLEY LAW FIRM, LLC

A handwritten signature in black ink, appearing to read 'J. Crowley', written over a horizontal line.

Jessica L. Crowley
P.O. Box 30189
Charleston, SC 29417
Tel. (843) 789-9614
jcrowleylawfirm@gmail.com

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
 Betty Fisher, et al.,)
)
 Plaintiffs,)
)
 vs.)
)
 Bessie Huckabee, et al.,)
)
 Defendants,)
)
 In the Matter of)
 Alice Shaw-Baker.)
 _____)

IN THE COURT OF COMMON PLEAS
 FOR THE NINTH JUDICIAL CIRCUIT
 Case No.: 2009-CP-10-3010

CERTIFICATE OF SERVICE

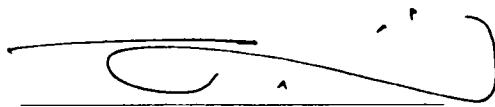
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 2018 JUL 19 PM 4:52
 JULIE J. ARMSTRONG
 CLERK OF COURT

I certify that on this date I served a copy of the foregoing pleading on each party or counsel of record via United States Mail with sufficient postage to the following addresses:

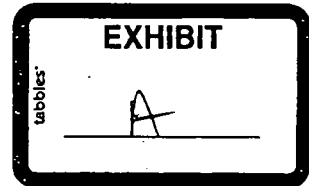
Lisa Fisher
 Betty Fisher
 PO Box 91112
 Long Beach, CA 90809

Barbara Seymour, Esq.
 for John Hughes Cooper
 1612 Marion Street, Suite 200
 Columbia SC 29201

Dated: July 19th, 2018
 Charleston, South Carolina



 W. Westbrook Wills III



Betty Fisher, et al.
 PLAINTIFF(S)

Bessie Huckabee, et al.
 DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

- DISPOSITION TYPE (CHECK ONE)**
- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
 - DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
 - ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
 - ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
 - STAYED DUE TO BANKRUPTCY**
 - DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

2018 JUL -9 AM 11:33
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 CLERK OF COURT

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court: Upon discovery of a scrivener's error, this Order modifies the previous June 29, 2018 Order to add judgment against Betty Fisher.

ORDER INFORMATION

This order ends does not end the case.
 Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
The Estate of Alice-Shaw Baker	Betty Fisher and Lisa Fisher	\$78,596.02
Peter A. Kouten	Lisa Fisher, Betty Fisher, and John Hughes Cooper	\$35,315.00
W. Westbrook Wills, III	Lisa Fisher, Betty Fisher, and John Hughes Cooper	\$59,289.50
Jessica L. Crowley	Lisa Fisher, Betty Fisher, and John Hughes Cooper	\$25,512.50
If applicable, describe the property, including tax map information and address, referenced in the order: N/A		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.
Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

T.L. Hyatt
Circuit Court Judge

2008
Judge Code

7/9/18
Date

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

CASE NO. 2009-CP-10-3010

COUNTY OF CHARLESTON)

BETTY FISHER and LISA FISHER,)
As Conservator for ALICE SHAW-)
BAKER,)

Plaintiffs,)

vs.)

BESSIE HUCKABEE, et al.)

Defendants.)

FILED
2018 JUL -9 AM 11:33
JULIE J. ARMSTRONG
CLERK OF COURT

ORDER

This case is before me following a jury verdict upholding the Will of Alice Shaw-Baker, and my verdicts against the equitable claims of the Plaintiffs. I wrote my Order affirming the jury's decision and ruling against Plaintiffs' claims and filed it on March 21, 2018, and it was available on-line on March 22, 2018. I issued my next Order more than 10 days later on April 3, 2018, without Plaintiffs filing any post-trial motions. The Supreme Court issued its Order on April 10, 2018, and I conducted a hearing pursuant to it on May 21, 2018. I took additional testimony following another review by me of the entire record pertaining to this dispute beginning with the filing for a Conservator/Guardian on July 31, 2008. One cannot fully comprehend the total waste of time and expense in this case without reading everything including all the discovery of each side. It takes me two days to read these voluminous files, and I have read them two times trying to fully understand this case, and particularly, the claims of the Plaintiffs. The bottom line of it all is that there are no facts supporting these claims made up by essentially strangers to Alice Shaw-Baker and her friends.

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T.L.H.S.

Prior to the non-jury trial, Defendants moved to dismiss this case following the Supreme Court's decision in the companion case involving these parties filed 2/28/18. I should have granted this. However, out of an abundance of caution, and my own preference for a full factual development, and since the parties were present and ready to proceed, I reserved ruling and took testimony. I now grant Defendants' Motion to Dismiss these equitable claims for lack of standing. Plaintiffs do not own these claims for "animal welfare" interests. One can only imagine the scope of additional litigation and attorney's fees if I should mandate a constructive trust to benefit "animal welfare and rescue organizations." Plaintiffs do not represent such groups. They have no standing to bring these claims.

I have also considered the equitable principles that relate to a constructive trust and find by the overwhelming weight of the evidence that Plaintiffs have failed to prove the need for a constructive trust. *See* Cases from S.C., re: constructive trust. Alice Shaw-Baker's property will go exactly as she intended for it to go, both by her Will and by contract.

Alice Shaw-Baker was a 79 year old lady suffering from undisputed physical and mental problems. Friends became concerned about her welfare and contacted an elder support hotline through the City of Charleston. Plaintiffs were notified in writing and this nightmare began. Plaintiffs had practically no contacts with Alice Shaw-Baker prior to this. Lisa Fisher successfully maneuvered the professional elder care Co-Conservator/Guardian, Jane Orenstein out, and her actions as sole Conservator/Guardian begin and continue to this day, according to her. It is important to read Judge Curry's November 19, 2008 Order for it is dispositive of Plaintiffs' contention that

Alice Shaw-Baker revoked her Will. She was an "Incapacitated Person". Section 62-5-101 (1) S.C. Code of Laws. Among other things, Judge Curry Ordered, "neither Alice Shaw-Baker nor anyone on

#2
TLH

her behalf may revise or revoke her Will or execute a new Will, unless specifically ordered by this Court.” No one sought to change this Order. This alone should have told Plaintiffs not to claim the Will was revoked under extremely suspicious and questionable circumstances shown in the record and recited in my prior Order. This Order is in addition to the settled law that a mentally incompetent person lacks capacity to revoke a Will. Without question, Alice Shaw-Baker lacked capacity to revoke her Will.

“The one who first states a case seems right, until the other comes and cross-examines.” Proverbs 18:17. Or as C. Tolbert Goolsby, Jr. says in Sweet Potato Biscuits and Other Stories, p. 113, “A man’s story seems right, until you look into it.”

In Plaintiffs twenty six page Verified Complaint they allege eleven causes of action in one hundred and forty six paragraphs. However, at the non-jury trial Plaintiffs only claimed and presented evidence in an attempt to support a constructive trust over her entire estate. Since the Will has been upheld, this claim relates to the non-probate assets being Alice Shaw-Baker’s deferred compensation, pension and life insurance. Plaintiffs claim a constructive trust to “go to animal welfare and rescue projects only.” It is true that Alice Shaw-Baker had dogs as her family, and wanted to ensure that any that survived her were taken care of by Kay Passailaigue Slade. None survived her, the last pre-deceasing her in 2008. This was very upsetting to her, and is reflected in various ways in the record. However, she never changed her Will leaving the residuc of her estate (after specific bequests) to Kay Passailaigue “to be hers in fee simple absolute, to include the care of my dogs....” It is hard to imagine anything more clear than that. Further, it is clear that Alice Shaw-Baker through notes and records regarding her deferred compensation, retirement and insurance, discussed leaving these to various “animal welfare” organizations by Will and/or by contract.

#3
T.L.B.

However, it is finally established clearly by the memorandum of a call from her to her insurance company: "I have received your letter dated March 6, 1996 and the beneficiary forms naming the John Ancrum Society for the Prevention of Cruelty to Animals and have discussed this with my attorney. We have decided not to change the beneficiary and name my estate as beneficiary. Ok. I will order the file to make sure your estate is named as beneficiary and if it isn't, I will prepare beneficiary forms accordingly." Likewise, the beneficiary of her deferred compensation was shown on a form of 2/14/01 to be "Kay Passailaigue, Relationship Custodian of Pets and Rescue— Governed by Will." Also, a prior form of 7/24/90 had her estate as beneficiary. The combination of her Will and these contracts are entirely contrary to Plaintiffs claims of a constructive trust to benefit unnamed "animal welfare" organizations. The course of these contracts might be somewhat confusing, but the final result is not. After consulting with her attorney, she decided to leave these to her estate as governed by her Will, that is, Kay Passailaigue. As much as Plaintiffs profess it should be otherwise, it is not so by Alice Shaw-Baker's own words spoken prior to her dementia.

I again address the issue of sanctions for this soon to be nine year old frivolous suit. The standard for determining this is an objective one. Plaintiffs may subjectively say, "We are just doing what Alice Shaw-Baker wanted us to do." Intent and result are shown by their acts, not their words.

Frivolous determinations are governed by a reasonable attorney standard. Here, two questions arise. One, would a reasonable attorney bring and maintain a suit now in its ninth year claiming that an undoubtedly incompetent person had revoked her otherwise valid will by tearing it on January 1, 2009, following Judge Curry's Order of November 19, 2008, when only that attorney supposedly witnessed the tearing and no proof of such an act exist other than that attorneys say so, and that attorney's mother is an heir if the Will was revoked along with some other heirs who are not parties,

#4
T.L.B.S.

or notified of this suit, and whose existence was just revealed? The answer is an unqualified "No". Two, would a reasonable attorney bring and maintain a suit now in its ninth year claiming an equitable constructive trust over the entire Estate given all the clear facts and circumstances in the record contrary to such a claim? Again, the answer is an unqualified "No".

This should have been a simple guardian/conservator/personal representative case. Instead it has by Plaintiffs' frivolous acts gone on for nine years and counting. This is unconscionable and an abuse of the court system. Every avenue available to delay has been used and abused by Plaintiffs for no good reason.

I have condensed the history of this case as follows: Over the past nine years, in this and other related cases, Plaintiffs have appealed and asked for reconsideration of almost every decision of every Court. They have filed nine appeals, four Writs of Certiorari, three petitions for rehearing, and seven motions for reconsideration. To date, they have not prevailed on any substantive matters with the exception of one remand on the issue of conservator fees. It should be noted that Plaintiffs' first appeal was from what was essentially a mutual restraining Order. Imagine that! As I have previously written, I deeply regret signing that Order.

I now turn to the monetary figures used in factoring my sanctions award. According to Family Services' inventory and appraisal, The Estate of Alice Shaw-Baker was originally valued at \$388,055.63. That figure includes the value of real estate, investments, life insurance, annuities, and anticipated annual receipts. After subtracting anticipated receipts, the Estate's initial value was \$353,746.81. According to Lisa Fisher's own accounting, \$39,549.43 was spent following Judge Curry's May 11, 2009 Order terminating her conservatorship. She also unreasonably spent \$25,000 for an air ambulance on the day of Alice Shaw-Baker's death, after being told by a medical doctor

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T.L.H.

that she would not survive the trip. She does, however, claim that she obtained a partial refund but such a refund is not reflected by her accounting.

Pursuant to § 62-5-424(C)(9), a conservator must obtain court approval prior to making charitable donations from the Estate. Lisa Fisher failed to observe this statute by making twenty unauthorized charitable donations in the amount of \$2,555—\$105 coming before the termination of the conservatorship—to various animal charities

The Probate Court has approved fees amounting to \$67,185.92. An additional \$20,621.34 was spent on unapproved fees, \$13,941.59 coming before the termination of the conservatorship, totaling \$87,807.26 in paid fees, which amounts to 25% of the Estate's value. However, there remains pending requests for approval of fees totaling \$74,422.00. If those requests are approved, the total fees paid would amount to \$162,229.26 or 46% of the Estate. As it currently stands, a total of \$173,148.66 from the Estate has been spent, which represents 49% of the Estate. Approval of the outstanding fee request would almost completely deprive the Estate of its value. That comes without any consideration of the amount of attorney's fees accumulated from Feb. 2009–Feb. 2018 which totals \$314,837.35 or 89.25% of the Estate. After totaling all the paid, unpaid, requested, and accumulated fees, the total amounts to \$564,873.87, which represents 160% of the Estate.

Despite the many egregious acts that occurred in this case, Lisa Fisher did care for Alice Shaw-Baker and her home by employing caregivers, landscapers, and by continuing to pay the taxes and insurance. For this, I credit her \$11,462.85 towards the sanctions award—\$1,000 for the caregiver expenses after the date of Alice Shaw-Baker's death, \$200 for hair charge, \$2,370 for lawn care, and \$7,892.85 for taxes and insurance. I have also decided to remove the \$7,000 loss of opportunity costs and treble damages against Lisa Fisher. As a result, the new sanctions award comes

#6
TLB

from \$13,941.59 spent of unapproved fees after the termination of the conservatorship, \$39,549.43 for monies spent after the termination of the conservatorship, \$25,000 for an air ambulance on day of Alice Shaw-Baker's death, and \$105 for unauthorized charitable contributions before the Order terminating the conservatorship for a total of \$78,596.02. I impose this as a judgment against Betty and Lisa Fisher, jointly and severally, in favor of Defendants.

I have also decided to award the Defendants' attorneys their reasonable attorney's fees in this action. Factors to be considered by the trial court in making a determination as to attorney's fees are: (1) the nature, extent and difficulty of the legal services rendered; (2) the time and labor necessarily devoted to the case; (3) the professional standing of counsel; (4) the contingency of compensation; (5) the fee customarily charged in the locality for similar legal services; and (6) the beneficial results obtained.

According the Defendants' three attorneys' affidavits, they are requesting fees in the amount of \$173,493.68 for services performed through May 30, 2018. Lisa Fisher has objected to this amount on the basis that some of the fees pertain to hours worked for the separate, but related, actions. I have subtracted the amount I believe is attributed to those actions. As for attorney Peter A. Kouten, he has requested \$78,872.43 for services rendered from February 2009–October 2017. I have deducted those fees accumulated after the October 14, 2013 Order for Substitution of Counsel in addition to fees for services performed in relation to actions required for probating the Estate, the Conservatorship (GC) action, and the related circuit court actions. I therefore find his reasonable attorney's fees to be \$35,315.00. As for attorney W. Westbrook Will, III, he has requested \$59,289.50 in attorney's fees. I find this amount to be reasonable. As for attorney Jessica L. Crowley, she has requested \$35,331.75 in attorney's fees. After subtracting those fees related to the ejectment

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T.L.F.

action and conservatorship action, I find her reasonable attorney's fees to be \$25,512.50. Thus, after careful consideration of the factors set forth above for assessing attorney's fees, I find Defendants' total attorneys' fees in the amount of \$120,117.00 are, unfortunately, justified under that analysis. I impose this as a judgment against Lisa Fisher, Betty Fisher, and John Hughes Cooper, jointly and severally, in favor of Defendants' attorneys—\$35,315.00 in favor of attorney Peter A. Kouten, \$59,289.50 in favor of attorney W. Westbrook Wills, III, and \$25,512.50 in favor of attorney Jessica L. Crowley.

Again, I reference Bleak House. Jarndyce vs. Jarndyce ended when the money in the estate was consumed by attorneys' fees, etc., after many years of litigation. I now doubt if even that would stop Plaintiffs from pursuing this frivolous litigation given what has now "boxed them in" . . . sanctions, damages, and costs which they must pay unless somehow they are successful on their appeals for the first time in nine years.

I cannot conclude without saying that I have sympathies for Lisa Fisher. It is painful for me to see and hear her put herself and others through this. She is well educated with a law degree and other degrees. She can do much that is worthwhile and of benefit to her clients and herself. Something has happened to throw her off track, and to, I can only conclude, become obsessed with this and other situations. This is indeed unfortunate, and I can only hope that something will happen to help her move on and away from this. She needs help—legal and perhaps otherwise. I hope she gets it.

Plaintiffs are in Contempt of Court for repeatedly refusing to supply Ordered financial information. I Order them confined in the Charleston County Detention Center and fined \$100.00 per day starting today until they comply. I have never in 33 years held an attorney or party in Contempt

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TLG

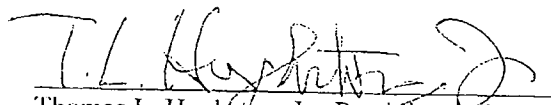
of Court. I stay this during the Plaintiffs' appeal.

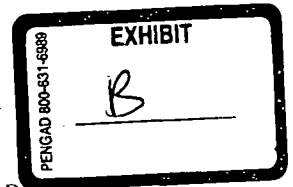
Plaintiffs' post-trial motions are denied and my previous Order affirmed except as modified herein.

IT IS SO ORDERED.

#9

July 9, 2018
Charleston, South Carolina


Thomas L. Hughston, Jr., Presiding Judge



STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
)
 Betty Fisher and Lisa Fisher,)
 Plaintiffs,)
)
 v.)
)
 Bessie Huckabee, et al.,)
 Defendants,)
)
 In the Estate of Alice Shaw-Baker.)
 _____)

IN THE COURT OF COMMON PLEAS
 FOR THE NINTH JUDICIAL CIRCUIT
 CASE NO.: 2009-CP-10-3010

**AFFIDAVIT OF PETER A. KOUTEN
 SEEKING RECONSIDERATION
 OF FEES**

The Affiant, after being duly sworn, deposes and says as follows:

1. My name is Peter A. Kouten.
2. I am a licensed attorney in the State of South Carolina.
3. I have represented the named Defendants in this matter individually and I have represented the estate and the court-appointed personal representative from 2009.
4. The Court recognized my substitution of counsel motion executed October 14, 2013, which sought to have Attorney Wills substitute representation of the named defendants individually.
5. The Plaintiffs objected to the substitution of counsel motion and my representation continued in the face of the objection.
6. During this time, I remained in a representative capacity for the estate and the personal representative until Attorney Crowley assumed such representation in mid-2017.
7. I have provided affidavit for fees reflecting my work on behalf of the Defendants, the estate and the personal representative in the amount of \$78,872.43.

8. The Court's June 29, 2018 Order reduced the award of my attorney fees by \$43,557.43 after initially approving my fees in a prior order.
9. The Plaintiffs have sought, through multiple legal actions, to disparage the Defendants for the sole purpose of having a final determination that the Last Will was invalid.
10. The Plaintiffs have failed in every action, at every level, to be successful in their frivolous crusade.
11. I am asking reconsideration of the June 29, 2018 Order reducing my fees because
 - a. I remained in a representative capacity for the estate and the personal representative long after the substitution of counsel motion filed in October 2013,
 - b. All work devoted to this file by me was in direct response to the continued legal actions of the Plaintiffs in their pursuit to discredit the Last Will and Testament of Alice Shaw-Baker,
 - c. The Defendants have been victimized by the Plaintiff's legal musings over the last ten years and the current Order further victimizes them as they would ultimately have to pay the legal fees not attributed to the actions of the Plaintiffs and their counsel.
12. Affiant seeks hearing on the matter of reconsideration so as to review line item by line item the fees billed as he was not properly served with either the May 29, 2018 order or the June 29, 2018 Order.
13. The Affiant seeks reconsideration of the June 29, 2018 Order and seeks the grant of all costs and fees for his services in the amount of \$78,872.43.

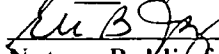
FURTHER AFFIANT SAYETH NOT!



Peter A. Kouten
PO Box 340
Johns Island, SC 29455

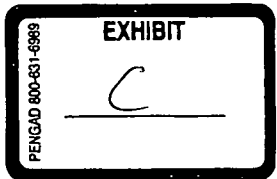
Sworn and subscribed before me

This 9 day of July, 2018.



Notary Public for South Carolina

My commission expires: 1/14/2024



STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
 Betty Fisher, et al.,)
)
 Plaintiffs,)
)
 vs.)
)
 Bessie Huckabee, et al.,)
)
 Defendants,)
)
 In the Matter of)
 Alice Shaw-Baker.)
 _____)

IN THE COURT OF COMMON PLEAS
 FOR THE NINTH JUDICIAL CIRCUIT
 Case No.: 2009-CP-10-3010

CORRECTIVE AFFIDAVIT
 OF JESSICA L. CROWLEY

1. My name is Jessica L. Crowley, I am over the age of eighteen and competent to make this affidavit.
2. I am the attorney for Defendant, Bessie Huckabee, Personal Representative in the above referenced matter.
3. I am submitting this affidavit in support of Defendants' Joint Motion to Reconsider, Alter or Amend Judgment.
4. On April 25, 2018, I was substituted as counsel for Peter A. Kouten in the above referenced matter when he was appointed as a judge in the Charleston County Probate Court and was no longer able to handle cases in Charleston County.
5. Thereafter, I began rendering legal services to Bessie Huckabee at a rate of \$175.00 per hour.
6. The time that I necessarily devoted to work specifically designated to the above captioned action is accurately reflected in the Affidavits of Attorney's Fees and invoices

submitted to this Court and dated October 26, 2017 and May 31, 2018, with corrections reflected in attached Amended Attorney's Fees Affidavit and revised invoices [*Annex A & B*].

7. There are several matters closely related to this action, and review of the invoices submitted in this matter reveal time inadvertently attributed to this matter which should have been attributed to other related matters.

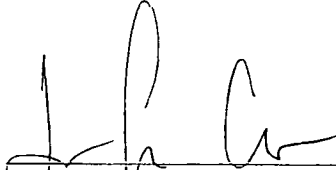
8. Plaintiffs contested certain portions of my invoice dated May 31, 2018, however, the work itemized in that invoice relates to this Court's Orders, and the Motions and Petitions and other relief sought by Plaintiffs in this action.

9. All of the time reflected in the attached revised invoices for ejecting the unauthorized tenant residing at 306 Cassina Road, Charleston, was directly related to this Court's Order dated April 3, 2018. Likewise, other itemized time reflected in my revised invoices is attributable to work completed in this matter.

10. I believe the fees as reflected in my revised affidavit and attached revised invoices are fees necessarily related to this action, and not to other related actions, and are proper for consideration in the present case.

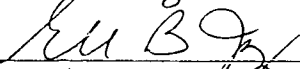
11. My total fees in the amount of \$32,461.75, which reflects reduction by \$1,350.00 for inadvertently misattributed fees, are properly attributed to this action and not to any of the related actions.

RESPECTFULLY SUBMITTED,



Jessica L. Crowley

SWORN to before me this 17
day of July, 2018



Notary Public for South Carolina
My Commission Expires: 1/14/2024

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
Case No.: 2009-CP-10-3010

Betty Fisher, et al.,)
)
Plaintiffs,)

vs.)

Bessie Huckabee, et al.,)
)
Defendants,)

In the Matter of)
Alice Shaw-Baker.)
_____)

AMENDED ATTORNEY'S FEES
AFFIDAVIT OF JESSICA L. CROWLEY

PERSONALLY APPEARED before me, Jessica L. Crowley, Esquire, who being duly sworn deposes and says:

1. I am the attorney for Defendant, Bessie Huckabee, Personal Representative of the Estate of Alice Shaw-Baker, in the above referenced matter.
2. This case is an action for Contest of the Last Will and Testament of Alice Shaw Baker, in the above matter, which was tried in October 2017 and March 2018 in a bifurcated trial. Defendants prevailed on all matters and Plaintiffs have filed multiple post-trial pleadings.
3. That fees total \$32,461.75 in connection with this action. The hourly rate charged was \$175.00 per hour.
4. The Supreme Court has set forth the factors to be considered in a grant of attorney's fees in *Glasscock v. Glasscock*, 304 S.C. 158 (1991), concerning the law in setting reasonable attorney's fees. These factors include nature, extent, and difficulty of the legal services rendered, the time and labor necessarily devoted to the case, the professional standing of counsel, the contingency of compensation, the customary fees charged in the locality for similar services, and the beneficial result obtained. These factors, as applied in this case, are as follows:
 - a) Nature, Extent and Difficulty of the Legal Services Rendered. This case involved multiple issues of civil law and probate law. Accordingly, the factual and legal issues presented required the extent of the work performed necessary to adequately prepare.
 - b) Time and Labor Necessarily Devoted to the Case. No less than 185.21 hours were devoted to the case by my firm. This is reflected through the facts stated earlier, as well as from the listing

of services performed in the Exhibits. Accordingly, the time and labor devoted to this case were necessary to properly prepare for this case.

c) Professional Standing of Counsel. I am a licensed member of the Bar of the State of South Carolina and I am a member of the Charleston County Bar Association and the American Bar Association. Approximately 90% of my practice consists of Probate matters, including commitment representation, court appointments, probating estates, and contested and uncontested Guardianship and Conservatorships. Accordingly, I submit that I have a high professional standing in general and in this area of practice.

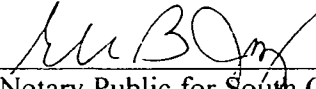
d) Contingency of Compensation. Compensation in this case is based on the hourly rate of \$175.00 per hour and is not contingent.

e) Customary Fee Charged on the Locality for Similar Services. I am aware from discussions with clients, other attorneys in the Charleston area, and from my general familiarity with the legal profession that the fees charged for services similar to those in this case are, in the Charleston area, from \$120.00 to \$300.00 per hour. As stated earlier, my hourly rate is within this range in this case. Accordingly, this hourly rate is the fee customarily charged in this locality for similar services.

f) Beneficial Results Obtained. This attorney has continued to obtain beneficial results for the Defendant and interested parties in this action. Accordingly, it is submitted that beneficial results have been obtained by this firm on client's behalf.

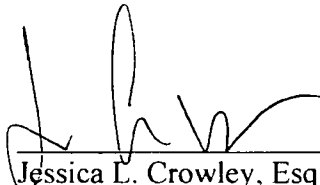
6. After due consideration of the nature, extent, and difficulty of the legal services rendered, the time and labor necessarily devoted to the case, the professional standing of counsel, the contingency of compensation, the customary fee charged in the locality for similar services, and the beneficial result obtained, I respectfully submit that an award of attorney's fees and costs to the full extent set forth in this Affidavit is appropriate; therefore, Jessica L. Crowley, Esquire, is entitled to \$32,461.75 in attorney's fees.

SWORN to before me this 17
day of July, 2018.



Notary Public for South Carolina

My Commission Expires: 1/14/2024



Jessica L. Crowley, Esquire

CROWLEY LAW FIRM, LLC
 PO Box 30189
 CHARLESTON, SC 29417

Invoice Submitted to:
 October 26, 2017
 Lisa Fisher, Esquire and Betty Fisher
 Client: Bessie Huckabee

Invoice #10Bak26

Date	Professional Services	Hours
5/21/2017	meet with Brook to discuss next steps, review file, research case law	1.5
8/2/2017	meet with Brook to draft Mot for SJ, research case law TC to Wills re meet to plan, rec pleading, rec notice of status	3.0
10/9/2017	conference	0.5
10/10/2017	JLC EM from Brook re update, TC to Bessie re update	0.4
10/11/2017	JLC meet with Brook, review file, TC to Solomon re original will	4.0
10/12/2017	JLC to Soloman Budman to review LWAT of ASB	0.5
10/16/2017	JLC reply to JHC EM re consent to transfer JLC status conference with Judge Jefferson re Mot to Change venue, work	0.1
10/17/2017	on response to motion jLC to Budman office to pick up affidavits, file with CCPC, conference	2.5
10/18/2017	hearing with Judge Jefferson re motion	1.5
10/18/2017	jLC TC to client re trial next week, discuss trial prep	1.0
10/19/2017	JLC rec roster notice from CP, Em Ct re order on motion hearing	0.2
10/20/2017	JLC status conference re mot for reconsideration x2	0.5
10/21/2017	jlc work on trial prep, case research, meet with clients	8.0
10/23/2017	JLC prep for trial, trial, research on revocation, review files	12.0
10/24/2017	JLC prep for trial, trial, research JLC research law regarding revocation for jury charges, review depositions, review rules of evidence, trial, review SC Probate Code re	10.0
10/25/2017	P's Motion	9.0
10/26/2017	JLC trial	4.0

10/26/2017	Professional Services Rendered 58.7 @ \$175.00/hr	10,272.50	
	Costs		\$ 0.00
	Total This Invoice		\$10,272.50

Please forward payment with this lower portion to:
 CROWLEY LAW FIRM, LLC
 PO Box 30189
 CHARLESTON, SC 29417

Client:	Huckabee
Invoice Date:	October 26, 2017
Previous Balance:	\$0.00
Retainer Received:	\$0.00
This Invoice:	\$10,272.50
Balance Due:	\$10,272.50

Crowley Law Firm, LLC

INVOICE

PO Box 30189
Charleston, SC 29417

Invoice # 59
Date: 07/17/2018
Due On: 08/16/2018

Bessie Huckabee
5319 Paramount Drive
N. Charleston, SC 29418

00008-Huckabee

Estate of Alice Shaw-Baker

Type	Date	Notes	Quantity	Rate	Total
Service	10/31/2017	JLC EM JH Cooper req to turn over estate assets	0.40	\$175.00	\$70.00
Service	11/01/2017	JLC rec response from JH Cooper refusing to turn over estate assets	0.20	\$175.00	\$35.00
Service	11/02/2017	JLC draft Mot to Dissolve TRO post trial	1.00	\$175.00	\$175.00
Expense	11/06/2017	Reimbursable expense: Fee for Motion to Dissolve TRO	1.00	\$25.00	\$25.00
Service	11/09/2017	JLC TC to Bessie re inventorying estate property	0.20	\$175.00	\$35.00
Service	11/16/2017	JLC print conservatorship file and organize into binder for review of accounts	2.00	\$175.00	\$350.00
Service	12/11/2017	JLC rec reply motion from JHC	0.20	\$175.00	\$35.00
Service	01/25/2018	JLC EM from Judge Hughston requesting accountings	0.20	\$175.00	\$35.00
Service	01/29/2018	JLC rec Order from Judge Houghston re accounting, TC to Bessie req bank statements	0.40	\$175.00	\$70.00
Service	01/30/2018	JLC rec bank statements from Bessie, scan and review, draft accounting	0.50	\$175.00	\$87.50
Service	02/05/2018	JLC work on accounting summary per Judge Houghston order, review Brook's letter, draft accounting of WF account held in Estate	1.50	\$175.00	\$262.50
Service	02/05/2018	JLC rec filed accounting summary from Wills, rec notice of hearing from Beaufort County, rec Return from Magistrate Court, review, fwd to Brook	1.00	\$175.00	\$175.00
Service	02/06/2018	JLC TC to Bessie re update, rec Order from Judge Hughston re accountings and funds, review attorneys fees for JHC and Lisa Fisher's invoices prior to death of ASB - no mention of Will revocation, TC to Brook re next steps	1.50	\$175.00	\$262.50

Service	02/07/2018	JLC review all invoices from Lisa Fisher and JHC, scan and fwd to Wills, TC to Wills re their invoicing, note Jan 2, 2009 does not mention revocation of will	1.00	\$175.00	\$175.00
Service	02/08/2018	JLC rec EM ltr from Lisa Fisher objecting to Order, TC to Brook re status of accountings, jurisdiction of court regarding GC case, upcoming hearing in Beaufort	0.50	\$175.00	\$87.50
Service	02/12/2018	JLC EM from JHC re discovery req from ING and retirement plan	0.20	\$175.00	\$35.00
Service	02/12/2018	JLC TC from Brook re stipulating to authenticity of documents, pros and cons, discuss their strategy, whether they have standing	0.70	\$175.00	\$122.50
Service	02/13/2018	JLC rec package from JHC, Order filed from Judge Houghston, review	0.40	\$175.00	\$70.00
Service	02/13/2018	JLC work on accounting summary per Judge Houghston order, review Brook's letter, draft accounting of WF account held in Estate	0.01	\$175.00	\$1.75
Service	02/13/2018	JLC rec accounting from JHC 2008-2018, review, tc to Wills to discuss	0.70	\$175.00	\$122.50
Service	02/15/2018	JLC EM from Lisa Fisher re changed pre-trial date, Corr from JHC re notice of filing, Corr from CCCP re Hughston's response to Fisher ltr, TC to Brook re our response to Lisa's request	0.70	\$175.00	\$122.50
Service	02/16/2018	JLC review accounting, total each subcategory, create summary of expenses, incl post-death and post-discharge expenses	5.00	\$175.00	\$875.00
Service	02/20/2018	JLC to CCPC to review GC file, rec Order from J. Hughston, revise accounting summary	1.00	\$175.00	\$175.00
Service	02/23/2018	JLC search file for Motion for fees in amount of \$6,090, copy, compare previously filed accountings with 2018 filed accounting	1.00	\$175.00	\$175.00
Service	02/23/2018	JLC rec resp to MSJ from JHC, pretrial brief from JHC, research applicable law per their filings; review discovery, review issues on appeal, review probate code re non-probate assets - jurisdiction of court, revise notes for probate hearing	4.00	\$175.00	\$700.00
Service	02/25/2018	JLC review file- cases on appeal, continue prep for hearing, review of accountings, add review of Fam Svc accounting, review caretaker notes	2.00	\$175.00	\$350.00
Service	02/25/2018	JLC research re equitable estoppel and standing/ wills, review code re "real representative"	0.50	\$175.00	\$87.50
Service	02/26/2018	JLC TC to Wills re equitable estoppel, real representative, priority statute, discovery to Hughston	0.40	\$175.00	\$70.00

Service	02/26/2018	JLC rec bank statements from JHC, review, prep for hearing, respond to Return to MSJ, research standing, revise hearing notes re breach of trust and request for receipts, research their arguments in pre-trial brief	6.00	\$175.00	\$1,050.00
Service	02/26/2018	JLC draft amended affidavit of fees, update hours	0.70	\$175.00	\$122.50
Service	02/26/2018	JLC to Bessie's to sign letter, to RMC for deed to Cassina, to 306 Cassina to deliver notice of intent to inspect property and Notice to Vacate	2.00	\$175.00	\$350.00
Service	02/26/2018	JLC copy exhibits for magistrate's court, review JHC response, review law on his claims, TC to WWW re hearing	1.00	\$175.00	\$175.00
Service	02/27/2018	JLC to Beaufort for pre-trial hearing for 3010 and post-trial motions	4.50	\$175.00	\$787.50
Service	03/01/2018	JLC rec Supreme Court decision re standing, review law, meet with Wills, rec Judge Hughston email re MSJ - review claims and law	2.00	\$175.00	\$350.00
Service	03/02/2018	JLC rec Depo of John Smoak, review	0.40	\$175.00	\$70.00
Service	03/05/2018	JLC req from Wills to review causes of action in 1332 for comparison to 3010 - create summary and email; rec Order from Beaufort Court, rec Order from Judge Hughston	1.00	\$175.00	\$175.00
Service	03/05/2018	JLC rec P's exhibit and witness list - review	0.40	\$175.00	\$70.00
Service	03/06/2018	JLC review exhibits proposed by JHC, review file to search for info on appointment of PR	1.50	\$175.00	\$262.50
Service	03/06/2018	JLC rec EM objection from Wills, respond re I join	0.50	\$175.00	\$87.50
Service	03/07/2018	JLC prep for trial - review depositions, research case law re remaining issues and potential issues, prep trial notebook	6.00	\$175.00	\$1,050.00
Service	03/08/2018	JLC continue to prep for trial, review all depos and research objections, review all evidence and research objections, review Byrd depo for objections and additional inclusions if necessary, review values and types of policies at issue	6.00	\$175.00	\$1,050.00
Service	03/10/2018	JLC meet with client, review all insurance policy docs, summary of beneficiary changes, finish objections to Byrd depositions	3.00	\$175.00	\$525.00
Service	03/11/2018	JLC research collateral estoppel, review complaint for factual allegations, rec em from Wills re objections, review, research on SCRS and deferred comp jurisdiction, law on business records exception re testimony, create summary of applicable law	5.00	\$175.00	\$875.00
Service	03/12/2018	JLC bench trial, print exhibits, objections, and case law, meet with defendants	8.00	\$175.00	\$1,400.00

Service	03/13/2018	JLC attend hearing, meet with client	4.00	\$175.00	\$700.00
Service	03/27/2018	JLC rec Mot to Vacate, review	0.50	\$175.00	\$87.50
Service	03/27/2018	JLC ltr to JHC re Candy vacate w/in 7 days, fwd to parties via EM, mail to JHC	0.40	\$175.00	\$70.00
Service	04/03/2018	JLC notice of Motion to Withdraw by JHC, response from Wills re personal property, response to ltr demanding Candy to move, rec Order form Hughston re property, TC from Wills re meet with Kay	0.50	\$175.00	\$87.50
Service	04/04/2018	JLC meet Wills and Kay, to CCPC to pick up interpleader check from clerk, talk to deputies re eviction	1.50	\$175.00	\$262.50
Service	04/05/2018	JLC rec Motion to be Relieved as Counsel, Hughston's new order, TC to Wills re bond and eviction, look up bond co info, EM to JHC re inventory of property	0.70	\$175.00	\$122.50
Service	04/05/2018	JLC review accountings with Wills	1.00	\$175.00	\$175.00
Service	04/09/2018	JLC TC from Bessie re update	0.20	\$175.00	\$35.00
Service	04/09/2018	JLC rec notice of appeal, notice to Ct App Motion to Withdraw, notice of entry of judgment	0.40	\$175.00	\$70.00
Service	04/09/2018	JLC rec Motion for Sub of Counsel	0.20	\$175.00	\$35.00
Service	04/10/2018	JLC tc to Wills re eviction on Thursday, schedule Melody to meet, TC to locksmith, payment, TC to attorney	0.70	\$175.00	\$122.50
Service	04/10/2018	JLC review Pet'n for Supersedeas, review rule 204, EMs between parties, review dates of filings, research Lisa's motion to vacate - case law	1.00	\$175.00	\$175.00
Service	04/12/2018	JLC to 306 Cassina to meet police and locksmith, review new order from SCSC dismissing Pet'n for Writ and allowing extension, call from Hughston's office saying wait to evict	1.00	\$175.00	\$175.00
Service	04/16/2018	JLC rec corr from Appeals Court, Sup Court, Circuit Court and Probate Court re recent Orders, Withdrawal of counsel	0.40	\$175.00	\$70.00
Service	04/18/2018	JLC Rec Notice of Appeal from JHC	0.20	\$175.00	\$35.00
Service	04/19/2018	JLC rec notice of filing in 3010- Petn for Writ and req to stay RTSC, begin timeline	0.40	\$175.00	\$70.00
Service	04/25/2018	JLC EM from Judge re setting hearing, respond	0.30	\$175.00	\$52.50
Service	04/26/2018	JLC rec filings from Fisher, review motions, research bifurcation re rule 59 motion, tc to Wills re next steps, law on filing appeal	1.00	\$175.00	\$175.00

Service	04/27/2018	JLC conference call with Wills and Atty for JHC re sanctions	0.50	\$175.00	\$87.50
Service	04/27/2018	JLC research requirements for joinder of pro se parties	1.00	\$175.00	\$175.00
Service	04/27/2018	JLC draft post-judgment interrogatories to Lisa and Betty and RTP	6.00	\$175.00	\$1,050.00
Service	04/30/2018	JLC research supersedeas law, requirement of bond, review law on affidavits re Mot to Strike, review orders and standing law, begin draft response to Mot for Supersedeas	8.00	\$175.00	\$1,400.00
Service	04/30/2018	JLC rec Rule 59 motion and request for Judicial Notice, review	0.50	\$175.00	\$87.50
Service	04/30/2018	JLC complete draft reply to P's motion for supersedeas, edit, file, fwd to parties	4.00	\$175.00	\$700.00
Service	05/01/2018	JLC EMs from JHC re withdrawal as counsel	0.20	\$175.00	\$35.00
Service	05/02/2018	JLC CL and scans of Disc Req to Lisa and Betty	0.50	\$175.00	\$87.50
Service	05/03/2018	JLC check Cassina property, look up car parked in driveway	0.50	\$175.00	\$87.50
Service	05/08/2018	JLC review Circuit Court Roster, TC to Clerk re update attorney info, review Notice of Appeal and pleadings, Ltr to Judge H re consolidation	1.00	\$175.00	\$175.00
Service	05/08/2018	JLC Em to Judge Hughston re request for consolidated hearing, EM to Lisa re inventory of property	0.70	\$175.00	\$122.50
Expense	05/17/2018	Reimbursable expense: Mot to Quash subpoena	1.00	\$25.00	\$25.00
Service	05/18/2018	JLC prep for hearing, finalize Motion to Quash Subpoena, research subpoenas	3.00	\$175.00	\$525.00
Service	05/20/2018	JLC prep for hearing	4.00	\$175.00	\$700.00
Service	05/21/2018	JLC hearing on post trial motions	6.00	\$175.00	\$1,050.00
Service	05/30/2018	JLC corr from Judge Hughston, review order	1.00	\$175.00	\$175.00
				Total	\$22,189.25

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
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59	08/16/2018	\$22,189.25	\$0.00	\$22,189.25
			Outstanding Balance	\$22,189.25
			Total Amount Outstanding	\$22,189.25

Please make all amounts payable to: Crowley Law Firm, LLC

Please pay within 30 days.