

RECEIVED

DEC 05 2018

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA

In the Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Thomas L. Hughston, Jr., Circuit Court Judge

Circuit Court Case No. 2009-CP-10-3010
Appellate Court Case No. 2018-000566

Betty Fisher and Lisa Fisher, ...Appellants

v.

Bessie Huckabee, Kay Passailaigue Slade and Sandra Byrd,.....Respondents

In the Matter of the Estate of Alice Shaw-Baker.

SECOND SUPPLEMENTAL RECORD ON APPEAL

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

(Appellant)

INDEX

APPENDIX

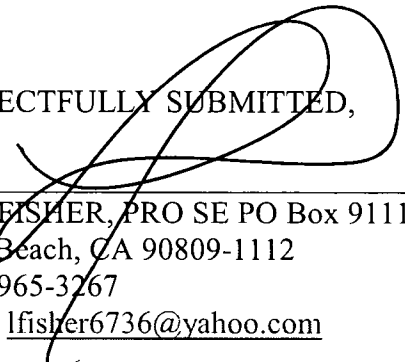
		Page no.
125.	Defendant Bessie Huckabee's First Requests to Produce to Plaintiff Betty Fisher (undated)	1681
126.	Defendant Bessie Huckabee's First Interrogatories to Plaintiff Betty Fisher (undated)	1684
127.	Betty Fisher's Discovery Responses (to Requests for Production and Interrogatories) dated January 11, 2010	1690
128.	Defendant Bessie Huckabee's First Requests to Produce to Plaintiff Lisa Fisher (including certificate of service listing discovery served on 10/29/09)	1705
129.	Defendant Bessie Huckabee's First Interrogatories to Plaintiff Lisa Fisher (undated)	1710
130.	Lisa Fisher's Discovery Responses (to Requests for Production and Interrogatories) dated January 11, 2010	1717

CERTIFICATE OF APPELLANT:

I certify that this Second Supplemental Record on Appeal submitted concurrently with the **APPELLANT LISA FISHER'S MOTION FOR LEAVE TO SUPPLEMENT RECORD ON APPEAL TO REBUT RESPONDENTS' FACTUAL MISSTATEMENTS MADE AT ORAL ARGUMENT** contains all material proposed to be included by the motion pursuant to rule 212(b), SCACR filed herein.

December 3, 2018

RESPECTFULLY SUBMITTED,

By: 

LISA FISHER, PRO SE PO Box 91112
Long Beach, CA 90809-1112
(562) 965-3267
email: lfisher6736@yahoo.com

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CIVIL ACTION 2009-CP-10-3010

Betty Fisher, and Lisa Fisher, as)
Conservator for Alice Shaw-Baker,)
)
Plaintiffs,)

vs.)

DEFENDANT BESSIE HUCKABEE'S
FIRST REQUESTS TO PRODUCE TO
PLAINTIFF BETTY FISHER

Bessie Huckabee,)
Kay Passailaigue Slade,)
Sandra Byrd, Henry McMaster,)
in his capacity as Attorney)
General of South Carolina,)
State Budget and Control Board,)
South Carolina Retirement System,)
ING, South Carolina Deferred)
Compensation Program)
And National Life Insurance)
Company,)
)
Defendants.)

IN THE MATTER OF:)
ALICE SHAW-BAKER)
)
)

TO: BETTY FISHER, Respondent and attorney for Respondent, John Hughes Cooper.

Petitioner, BESSIE HUCKABEE, serves, pursuant to Rules 26 and 34 of the South Carolina Rules of Civil Procedure, her First Set of Requests to Produce on the Defendant, BETTY FISHER, directing her to furnish for production and copying the documents and files listed.

DOCUMENTS TO BE PRODUCED

You are requested to produce the original or copies thereof and any non-identical copies of the following:

1. Please identify any documents in your possession, given to you by Alice Shaw-Baker prior to November 2007 and produce same.
2. Please identify any correspondence that you had with Alice Shaw-Baker, including letters and telephone calls. Please include any copies of letters that were mailed, letters in your possession that you received from Alice, and copies of any phone statements, home or cellular, which verify those phone conversations.
3. Please identify any correspondence that you had with neighbors of Alice Shaw-Baker or others in Charleston, South Carolina, regarding the health and well-being of Alice Shaw-Baker, and produce the same.
4. Please identify any correspondence you received from neighbors, the Defendants, or any other persons in Charleston, South Carolina, after November 2007, regarding the health and well-being of Alice Shaw-Baker, and produce same.
5. Please produce a copy of any subsequent will that was executed after Ms. Shaw-Baker's May 21, 2001 will.
6. Please produce any partially-preserved digital drafts of a will subsequent to Ms. Shaw-Baker's May 21, 2001 will.
7. Please produce any and all documents in your possession that were taken from Alice Shaw-Baker's house by you or your attorney in 2009, to include phone bill, electric bill, bank statements, any and all mail addressed to Alice Shaw-Baker.
8. Please produce any personal property in your possession that was taken from Alice Shaw-Baker's house by you or your attorney in 2009.
9. Please produce the home, business and cellular telephone numbers of the following individuals:

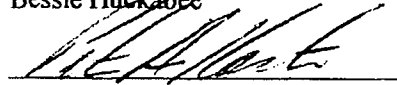
- i. Lisa Fisher
- ii. Betty Fisher
- iii. John Hughes Cooper
- iv. Cain Denny

10. Please produce any hotel, airline travel, car rental receipts for those times which you visited Alice Shaw-Baker in 2008 and 2009.

The records shall be produced by counsel for Defendants within 30 days as required by the South Carolina Rules of Civil Procedure. Any documents withheld upon claim of privilege shall be described in a privilege log to be provided in lieu of production of the claimed privileged records.

Respectfully Submitted by,

ATTORNEY FOR DEFENDANT
Bessie Huckabee



Peter A. Kouten
THE KOUTEN LAW FIRM, LLC
PO BOX 340
JOHNS ISLAND, SC 29457
OFFICE: 843-670-3919
FAX: 843-559-4102

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CIVIL ACTION 2009-CP-10-3010

Betty Fisher, and Lisa Fisher, as)
Conservator for Alice Shaw-Baker,)
Plaintiffs,)

vs.)

Bessie Huckabee,)
Kay Passailaigue Slade,)
Sandra Byrd, Henry McMaster,)
in his capacity as Attorney)
General of South Carolina,)
State Budget and Control Board,)
South Carolina Retirement System,)
ING, South Carolina Deferred)
Compensation Program)
And National Life Insurance)
Company,)
Defendants.)

IN THE MATTER OF:)
ALICE SHAW-BAKER)

DEFENDANT BESSIE HUCKABEE'S
FIRST INTERROGATORIES TO
PLAINTIFF BETTY FISHER

TO: BETTY FISHER, Respondent and attorney for Respondent, John Hughes Cooper.

Defendant, BESSIE HUCKABEE serves, pursuant to Rules 26 and 33 of the South
Carolina Rules of Civil Procedure, full and complete written answers to the following
interrogatories:

INSTRUCTIONS

A. Where the following interrogatories request you to identify a person, firm, association,
company, or corporation, please identify them by stating the full name and last known address of
the person, firm, association, company, or corporation and phone number.

B. Where the following interrogatories request you to identify a document, this term means all original writings of any nature whatsoever and all non-identical copies in your possession, custody, or control or in the possession, custody, or control of your attorney, but is not limited to, correspondence, diagrams, data processing, storage units, tapes, photographs, contracts, invoices, receipts, bills, orders, notes, computer data, e-mails, and other written communications, and other documents as identified in Rule 34 of the South Carolina Rules of Civil Procedure. In all cases where the original and/or non-identical copies are unavailable, "document" also means copy.

C. Where the following interrogatories request you to identify a writing, recording, photograph, or other type of document, please state for each such writing, recording, photograph, or other document:

1. Its date;
2. The name, address, and representative capacity, if any, of each person, writing, recording, photographing, making, or signing it;
3. Its subject matter; and
4. The name, address, and representative capacity, if any, of each person in whose custody it is now being kept or to whose control it is subject.

D. In the event that any document or thing called for in any of these requests has been destroyed, lost, discarded or otherwise disposed of, identify as completely as possible, each document or thing, including without limitation, the following information: date of disposal, place and manner of disposal; reason for disposal; person authorizing the disposal; and persons disposing of the document or thing.

INTERROGATORIES

1. Please identify each person who had communication with the Decedent concerning the Last Will and Testament of Alice Shaw-Baker currently filed with the Charleston County Probate Court.

2. Please identify each will of which you had personal knowledge, when you received knowledge of the existence of each will, how you received knowledge of each will, and any information as to the draftsman of each will.
3. Please state your relationship to John Lucas.
4. Please state a chronology of events regarding the probate of the Estate of John Lucas.
 - a) When did you hear of his death;
 - b) Did you come to Charleston, South Carolina, during any time during the probate of his Estate, and if so, how many times and where did you stay;
 - c) Did you receive any assets from the Estate of John Lucas;
 - d) Did Alice Shaw-Baker receive any assets from the Estate of John Lucas;
 - e) Did you stay with Alice or visit with her if you came to Charleston, South Carolina, during the probate of the Estate of John Lucas;
 - f) Describe your reactions, if any, to Alice's request that she have nothing to do with the probate of John Lucas' Estate.
5. Please state whether you know Bessie Huckabec and list each contact you have had with her.
6. Please state whether you know Kay Passailaigue Slade and list each contact you have had with her.
7. Please state whether you know Sandra Byrd and list each contact you have had with her.
8. Please state your relationship with the following attorneys, and in what context they provided services for either you or Alice Shaw-Baker. Please refer to Instruction A of this request and, additionally, state when, if ever, you have spoken with each:
 - a) Daniel Goldstein, Esquire
 - b) N. Edward Horowitz, Esquire
 - c) A. Bernard Solomon, Esquire
 - d) John Hughes Cooper, Esquire

e) J. Michael Mitchum, Esquire

9. Please state whether Alice Shaw-Baker ever discussed with you her last wishes and state the date and place of each discussion.

10. Please state why you were bequeathed \$1,000 in Alice Shaw-Baker's prior will of February 13, 2001.

11. Please state if you own any animals and name each type, breed, and age, and how long you have owned each.

12. Please state whether it is your contention the Estate of Alice Shaw-Baker owes you any money, and if so, for what reason. Please produce supporting documentation.

13. Please identify every witness known to you or your attorney who may have facts relevant to the determination of the validity of the Last Will and Testament dated May 21, 2001, and presented to the Charleston County Probate Court this action and produce same.

14. Please identify all documents which relate to the claims or defenses raised by the parties in this action and produce same.

15. Please identify each expert witness whom you may call to testify at trial. Please state the subject matter of each witness' testimony and whether said witness has received compensation for their services. Please produce a copy of each communication and each report produced by each witness.

16. Please identify any photographs in your possession, custody, and control that relate to this claim and produce same.

17. Please produce a copy of each record obtained or to be obtained by Plaintiff via subpoena *duces tecum*, signed authorization form, or other legal process.

18. Please state when and where Alice Shaw-Baker instructed you or Lisa Fisher to revoke Alice Shaw-Baker's May 21, 2001 will.

19. Please identify each and every instance where Ms. Huckabee and/or Ms. Slade coerced Ms. Shaw-Baker by undue influence or otherwise to execute her May 21, 2001 will.

20. Please identify each and every instance where Ms. Huckabee and/or Ms. Slade coerced Ms. Shaw-Baker by undue influence or otherwise to execute the prior will of February 13, 2001.

21. Please identify each and every instance where Ms. Huckabee and/or Ms. Slade coerced Ms. Shaw-Baker by undue influence or otherwise to execute the prior will of April 5, 1996.

22. Please identify each and every instance where Ms. Huckabee and/or Ms. Slade coerced Ms. Shaw-Baker by undue influence or otherwise to execute the prior will of January 7, 1993.

23. Please identify each and every instance where Ms. Huckabee and/or Ms. Slade failed to assist Ms. Shaw-Baker with staying in her home and avoiding placement in an assisted living facility.

24. Please identify each and every instance where Ms. Huckabee and/or Ms. Slade concealed Ms. Shaw-Baker's condition from you or Lisa Fisher and/or other members of Ms. Shaw-Baker's family.

25. Please identify every instance where you had personal knowledge of Ms. Shaw-Baker's medical condition after October 2008, including her diagnosis of cancer, how you received this information, and to whom you conveyed that information.

26. Please state the date of the first time you were in Alice Shaw-Baker's house in the calendar year 2009.

27. Please state when and where Ms. Shaw-Baker executed a subsequent will that revoked her May 21, 2001 will.

28. Please identify said subsequent will and produce copy thereof.

29. Please identify each and every person who has knowledge of the execution of a subsequent will and identify the will's draftsman, notary, and witnesses, including names, addresses, and telephone numbers.

30. Please state with specificity your familial relationship to any of the following and how long you have known each:

a. Norma K. Miller

- b. Tracy Miller Woods
- c. Beth Miller Buckley
- d. Alison Miller
- e. Susan Miller Kehoe
- f. Jodi Miller Moulton
- g. Jacob Miller Moulton
- h. Jennifer Miller
- i. Cody Buckley

31. Please identify each attorney who was sought out by Ms. Huckabee and/or Ms. Slade for the purpose of assisting Ms. Shaw-Baker in executing a will.

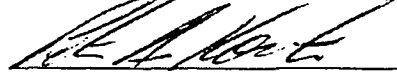
32. Please state each and every communication you had with Ms. Shaw-Baker in which she stated that the money she was leaving Ms. Slade was solely to be used for animal welfare and rescue projects and attach any correspondence which detail these communications.

33. Please explain Alice's relationship with Norman K. Miller and Alice's ties with the Jewish faith and the Jewish Synagogue-Kahal Kadosh Beth Elohim.

The above interrogatories shall be answered under oath and signed by each Plaintiff within 30 days as required by the South Carolina Rules of Civil Procedure.

Respectfully Submitted by,

ATTORNEY FOR DEFENDANT
Bessie Huckabee



Peter A. Kouten
THE KOUTEN LAW FIRM, LLC
PO BOX 340
JOHNS ISLAND, SC 29457
OFFICE: 843-670-3919
FAX: 843-559-4102

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
) FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON) CIVIL ACTION 2009-CP-10-3010

Betty Fisher, and)
Lisa Fisher,)
as Conservator for)
Alice Shaw-Baker,)

Plaintiffs,)

vs.)

BETTY FISHER'S DISCOVERY RESPONSES

Bessie Huckabee,)
Kay Passailaigue Slade,)
Sandra Byrd,)
Henry McMaster,)
in his capacity as)
Attorney General)
of South Carolina,)
State Budget and)
Control Board, South)
Carolina Retirement)
System, ING, South)
Carolina Deferred)
Compensation Program,)
And National Life)
Insurance Company,)

Defendants.)

IN THE MATTER OF:)
ALICE SHAW-BAKER)

COMES NOW Plaintiff Betty Fisher, and, in accordance with Rules 26, 33, and 34 of the South Carolina Rules of Civil Procedure, responds to Defendant Huckabee's discovery requests as follows:

Requests for Production

1. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably

calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. Also, the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions: Without waiving said objections, plaintiff responds as follows:

After a diligent search and reasonable inquiry to locate the item demanded, this Plaintiff has no document which is within this Plaintiff's possession, custody, or control.

2. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. Also, the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions: Without waiving said objections, plaintiff responds as follows:

After a diligent search and reasonable inquiry to locate the item demanded, this Plaintiff has no document which is within this Plaintiff's possession, custody, or control.

3. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. Also, the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions: Without waiving said objections, plaintiff

responds as follows:

After a diligent search and reasonable inquiry to locate the item demanded, this Plaintiff has no document which is within this Plaintiff's possession, custody, or control.

4. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. Also, the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions: Without waiving said objections, plaintiff responds as follows:

After a diligent search and reasonable inquiry to locate the item demanded, this Plaintiff has no document which is within this Plaintiff's possession, custody, or control.

5. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. The term "executed" is vague and ambiguous. Without waiving any objections, plaintiff responds:

No documents at this time. Discovery is continuing.

6. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. The term "of a will" is vague and ambiguous. Without waiving any objections, plaintiff responds:

No documents at this time. Discovery is continuing.

7. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. Also,

the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. Additionally, plaintiff objects on the grounds that the attorney-client privilege protects disclosure of the information sought and as such is violative of the attorney work product privilege. The request calls for information which is available to all parties equally and is therefore oppressive and burdensome to Plaintiff. The request invades this plaintiff's and Alice Shaw Baker's right of privacy under the South Carolina and United States Constitutions.

8. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. Also, the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. Additionally, plaintiff objects on the grounds that the attorney-client privilege protects disclosure of the information sought and as such is violative of the attorney work product. The request invades this plaintiff's and Alice's right of privacy under the South Carolina and United States Constitutions.

9. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Also, the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions.

10. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably

calculated to lead to the discovery of admissible evidence. Also, the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions.

INTERROGATORIES

1. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous. Without waiving said objection, Plaintiff responds as follows:

I am informed and believe that Alice spoke to everyone about her desires that her monies go to animal charities, including but not limited to:

- a. Plaintiff
- b. Lisa Fisher
- c. John Smoak
- d. Bessie Huckabee
- e. Kay Slade
- f. Sandra Byrd
- g. John Ancrum ASPCA
- h. Beth Hydrick; Office Coordinator; SC Deferred Compensation Plan; ING; 200 Arbor Lake Drive, Ste. 125; Columbia, SC 29223 (803) 754-7997.
- I. Candace Dionne; Plan Administrator; ING, 1775 Lisbon Street; Lewsiton, ME 04240 Tel: 617-867-7386
- j. Jane Orenstein
- k. Elisabeth Spencer
- l. Walter Huff
- m. Peter Kouten

Discovery is continuing. Plaintiff reserves the right to amend and/or supplement this answer.

2. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Also, said interrogatory is compound. Further, it is vague and ambiguous. Without waiving said objection, Plaintiff responds as follows:

I have no personal knowledge of the existence of a will for Alice Shaw Baker. Alice Shaw Baker informed me that she had planned her estate so that all of her monies went to animal charities. Alice always brought it up, and I knew how much she loved animals so there was no need to inquire into it.

3. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This interrogatory is oppressive and burdensome and would result in annoyance, embarrassment or oppression. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions. Without waiving said objections, plaintiff responds as follows:

He is my uncle.

4. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Also, said interrogatory is compound. Further, it is vague and ambiguous.

5. Objection to this interrogatory is made on the grounds that to answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further said interrogatory is vague as to the term "know." Also, said interrogatory is compound. Without waiving said objections, plaintiff responds:

Huckabee is the defendant in this litigation. I have had no contact with her, other than seeing her at court and at her deposition.

6. Objection to this interrogatory is made on the grounds that to answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further said interrogatory is vague as to the term "know." Also, said interrogatory is compound. Without waiving said objections, plaintiff responds:

Slade is the defendant in this litigation. I have had no contact with her, other than seeing her at court and at her deposition.

7. Objection to this interrogatory is made on the grounds that to answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further said interrogatory is vague as to the term "know." Also, said interrogatory is compound. Without waiving said objections, plaintiff responds:

Byrd is the defendant in this litigation. I have had no contact with her, other than seeing her at court and at her deposition.

8. Objection to this interrogatory is made on the grounds that to answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further said interrogatory is vague as to the term "relationship." The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions.

Also, said interrogatory is compound. Without waiving said objections, plaintiff responds:

- a) **I have no relationship with Daniel Goldstein. He has not provided services to me, and I have no personal knowledge as to the services he provided to my aunt Alice Shaw-Baker.**
- b) **I have no relationship with N. Edward Horowitz. He has not provided services to me, and I have no personal knowledge as to the services he provided to my aunt Alice Shaw-Baker.**
- c) **I have no relationship with A. Bernard Solomon. He has not provided services to me, and I have no personal knowledge as to the services he provided to my aunt Alice Shaw-Baker.**
- d) **John Hughes Cooper, Esq. is my attorney. In addition to the above objections, plaintiff objects on the grounds that the attorney-client privilege protects**

disclosure of the information sought and as such is violative of the attorney work product privilege.

- e) I have no relationship with J. Michael Mitchum. He has not provided services to me. He was the attorney on my uncle's estate, and the pleadings he filed in the case had false and defamatory statements about members of my family. I fought to have the court file cleared of said statements.

Discovery is continuing. Plaintiff reserves the right to supplement and amend these answers.

9. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. Further, to answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions. Also, said interrogatory is compound. Without waiving said objections, plaintiff responds:

Alice spoke to me on several occasions, before and after she was conserved, about her desire that all of her estate go to animal charities. These conversations were by phone and in person. I know she revoked the May 21, 2001 will.

10. Objection to this interrogatory is made on the grounds that to answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further said interrogatory is vague as to the term "relationship." The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions. Without waiving said objections, plaintiff responds:

I do not have personal knowledge as to why I was bequeathed any money in said will.

11. Objection to this interrogatory is made on the grounds that to answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Also, said interrogatory is compound. The request invades this plaintiff's right of privacy under the South

Carolina and United States Constitutions.

12. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Without waiving said objections, plaintiff responds as follows:

Neither She (nor the estate) owes me anything.

13. Objection to this interrogatory is made on the grounds that to answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further said interrogatory is vague and ambiguous. Also, said interrogatory is compound. Without waiving said objections, plaintiff responds:

- a. Plaintiff
- b. Lisa Fisher
- c. John Smoak
- d. Bessie Huckabee
- e. Kay Slade
- f. Sandra Byrd
- g. John Ancrum ASPCA
- h. Beth Hydrick; Office Coordinator; SC Deferred Compensation Plan; ING; 200 Arbor Lake Drive, Ste. 125; Columbia, SC 29223 (803) 754-7997.
- I. Candace Dionne; Plan Administrator; ING, 1775 Lisbon Street; Lewsiton, ME 04240 Tel: 617-867-7386
- j. Peter Kouten
- k. Jane Orenstein
- l. Elisabeth Spencer
- m. Walter Huff
- n. Dr. Rosen
- o. Dr. Wade
- p. Rebecca McCrudden
- q. Dr. Mulberry
- r. Candace Rickborn

Discovery is continuing. Plaintiff reserves the right to amend this answer.

14. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would

result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Also, said interrogatory is compound. Said interrogatory is incompetent and unintelligible. Further, it is vague and ambiguous as to "claims" or "defenses raised by the parties". Without waiving said objection, Plaintiff responds as follows:

Discovery is continuing, all documents produced via subpoena and by defendants State Budget and Control Board, South Carolina Retirement System, ING, South Carolina Deferred Compensation Program and National Life Insurance Company relate to the claims of plaintiffs. All Wills subject to this litigation relate to the claims of plaintiffs. Discovery is continuing.

15. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous. Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

No expert witness has been retained at this time. Discovery is continuing.

16. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous. Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

Plaintiff has no photos within this Plaintiff's possession, custody or control. Discovery is continuing.

17. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is

vague and ambiguous as to the request "to be obtained by plaintiff." Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

All of said documents have been previously produced.

18. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous as to the request "to be obtained by plaintiff." Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

After Alice learned that Huckabee and Slade had deceived her about the dog charity, she said she had a right to change her will, because it was her money and she didn't want the money to go to these people. Bessie Huckabee refused to be Alice's power of attorney and she cried like a little girl when she discovered they lied to her. Alice stated all of her monies were to go to animal charities. She said this in my presence on several occasions..

19. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous. Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

Huckabee made Alice believe she would make sure that all of her monies went to dog Charities. Slade convinced Alice she ran a dog charity. When she learned that Slade no longer ran the dog rescue, she did not want her to have the money. Huckabee and Slade knew that Alice was fragile and vulnerable, and that she was subject to undue influence. They continued to represent that Slade had the dog charity, and Huckabee confirmed this to Alice.

This confirmation never allowed Alice the opportunity to change her estate plan, until Alice Shaw-Baker revoked the Will in Lisa Fisher's presence. Discovery is continuing.

20. See responses and objections to no. 19.

21. See responses and objections to no. 19.

22. See responses and objections to no. 19.

23. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous as to the request "to be obtained by plaintiff." Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

Both Slade and Huckabee refused to help Alice avoid conservatorship. Slade and Huckabee reported Alice to Charleston County Elder Services which led to Alice being conserved. They took this action after her last dog died. They failed and refused to tell Alice that they were taking this action. They did not tell Alice's family that she needed assistance. Huckabee refused to act as agent under the Durable Power of Attorney for finances and/or healthcare as she promised Alice. Both Slade and Huckabee stated that Alice could not live alone, but made no attempt to help her. Attorney Gibson was asked to have Judge Curry revoke the Power of Attorney at the hearing on the conservatorship, and Judge Curry did so.

24. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous as to the request "to be obtained by plaintiff." Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

Huckabee and Slade knew about Betty Fisher and Lisa Fisher and other family members. They knew that Alice was vulnerable and fragile. They knew the condition of her home. They knew that she was heartbroken about the loss of her dogs. They knew that she was calling them repeatedly. They knew that Alice did not want to be under a conservatorship/guardianship. They failed and refused to contact any of Alice's family. They knew that they were concealing the fact that Slade no longer had a dog

charity, and that Alice's estate was supposed to be used for a dog charity.

25. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Further, to answer this question would result in annoyance, embarrassment, or oppression, and requires the release of protected medical information in violation of Alice Shaw-Baker's rights. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions.

Also, said interrogatory is compound.

26. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Further, to answer this question would result in annoyance, embarrassment, or oppression. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions. Also, said interrogatory is compound.

27. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous as to the request "to be obtained by plaintiff." Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

Unknown at this time. Discovery is continuing.

28. **See objections and responses to no. 27.**

29. **See objections and responses to no. 27**

30. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Further, to answer this question would result in annoyance, embarrassment, or oppression. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions. Also, said interrogatory is compound. Without waiving said objection, plaintiff responds:

I don't know these people.

- a. I have no familial relationship to Norma K. Miller.
- b. I have no familial relationship to Tracy Miller Woods.
- c. I have no familial relationship to Beth Miller Buckley.
- d. I have no familial relationship to Alison Miller.
- e. I have no familial relationship to Susan Miller Kehoe.
- f. I have no familial relationship to Jodi Miller Moulton.
- g. I have no familial relationship to Jacob Miller Moulton.
- h. I have no familial relationship to Jennifer Miller.
- i. I have no familial relationship to Cody Buckley.

31. Objection to this interrogatory is made on the grounds that it is compound. Without waiving said objection, plaintiff responds:

Discovery is continuing, unknown at this time.

32. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. Also, to answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions. Also, said interrogatory is compound. Without waiving said objections, plaintiff responds:

Alice spoke to me on several occasions, before, and after she was conserved, day after day, about her desire that all of her estate go to animal charities. These conversations were by phone and in person. Prior to being conserved, she informed me that all her monies were going to animal charities only.

33. Objection to this interrogatory is made on the grounds that to answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Also, said interrogatory is compound. The request invades this Alice Shaw-Baker's right of privacy under the South Carolina and United States Constitutions. Without waiving said objection, plaintiff responds:

Discovery is continuing, unknown at this time.

RESPECTFULLY SUBMITTED,

JOHN HUGHES COOPER, P.C.

By:


JOHN HUGHES COOPER, ESQUIRE
Federal Court ID 298
South Carolina Bar 1387
State Bar of Georgia 185986
1808 Middle Street
Post Office Box 395
Sullivan's Island, SC 29482
843-883-9099; fax 843-883-9335
shiplaw@jhcooper.com

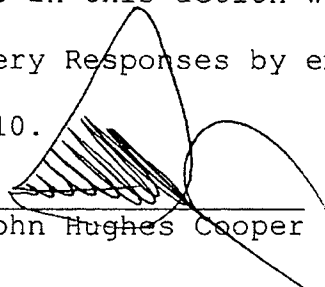
and

CAIN DENNY, ESQUIRE
Federal ID 7383
South Carolina Bar 13590
CAIN DENNY, P.A.
P.O. Box 1205
Charleston, S.C. 29402
843-965-5400; fax 843-883-9335
cain@intercoastproperties.com

ATTORNEYS FOR PLAINTIFFS,
BETTY FISHER AND
LISA FISHER, AS CONSERVATOR FOR
ALICE SHAW-BAKER

CERTIFICATE OF SERVICE

I hereby certify that we served counsel for all active parties in this action with a copy of the forgoing Betty Fisher's Discovery Responses by email and by first class mail on January 11, 2010.


John Hughes Cooper

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CIVIL ACTION 2009-CP-10-3010

Betty Fisher, and Lisa Fisher, as)
Conservator for Alice Shaw-Baker,)
Plaintiffs,)

vs.)

Bessie Huckabee,)
Kay Passailaigue Slade,)
Sandra Byrd, Henry McMaster,)
in his capacity as Attorney)
General of South Carolina,)
State Budget and Control Board,)
South Carolina Retirement System,)
ING, South Carolina Deferred)
Compensation Program)
And National Life Insurance)
Company,)
Defendants.)

IN THE MATTER OF:)
ALICE SHAW-BAKER)

DEFENDANT BESSIE HUCKABEE'S
FIRST REQUESTS TO PRODUCE TO
PLAINTIFF LISA FISHER

TO: LISA FISHER, Respondent and attorney for Respondent, John Hughes Cooper.

Petitioner, BESSIE HUCKABEE, serves, pursuant to Rules 26 and 34 of the South Carolina Rules of Civil Procedure, her First Set of Requests to Produce on the Defendant, LISA FISHER, directing her to furnish for production and copying the documents and files listed.

DOCUMENTS TO BE PRODUCED

You are requested to produce the original or copies thereof and any non-identical copies of the following:

1. Please identify any documents in your possession, given to you by Alice Shaw-Baker prior to November 2007 and produce same.

2. Please identify any correspondence that you had with Alice Shaw-Baker, including letters and telephone calls. Please include any copies of letters that were mailed, letters in your possession that you received from Alice, and copies of any phone statements, home or cellular, which verify those phone conversations.

3. Please identify any correspondence that you had with neighbors of Alice Shaw-Baker or others in Charleston, South Carolina, regarding the health and well-being of Alice Shaw-Baker, and produce the same.

4. Please identify any correspondence you received from neighbors of Alice, the Defendants, or any other persons in Charleston, South Carolina, after November 2007, regarding the health and well-being of Alice Shaw-Baker, and produce same.

5. Please produce a copy of any subsequent will that was executed after Ms. Shaw-Baker's May 21, 2001 will.

6. Please produce any partially-preserved digital drafts of a will subsequent to Ms. Shaw-Baker's May 21, 2001 will.

7. Please produce any and all documents in your possession that were taken from Alice Shaw-Baker's house by you or your attorney in 2009, to include phone bills, electric bills, bank statements, any and all mail addressed to Alice Shaw-Baker.

8. Please produce any personal property in your possession, or in the possession of your attorney, that was taken from Alice Shaw-Baker's house by you or your attorney in 2009.

9. Please produce the home, business and cellular telephone numbers of the following individuals:

- i. Lisa Fisher
- ii. Betty Fisher
- iii. John Hughes Cooper
- iv. Cain Denny

10. Please produce any hotel, airline travel, car rental receipts for those times which you visited Alice Shaw-Baker in 2008 and 2009.

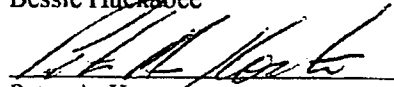
11. Please produce a copy of each record obtained or to be obtained by Plaintiff via subpoena *duces tecum*, signed authorization form, or other legal process.

The above interrogatories shall be answered under oath and signed by each Plaintiff within 30 days as required by the South Carolina Rules of Civil Procedure.

Respectfully Submitted by,

ATTORNEY FOR DEFENDANT

Bessie Huckabee



Peter A. Kouten

THE KOUTEN LAW FIRM, LLC

PO BOX 340

JOHNS ISLAND, SC 29457

OFFICE: 843-670-3919

FAX: 843-559-4102

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CIVIL ACTION 2009-CP-10-3010

Betty Fisher, and Lisa Fisher, as)
as Conservator for Alice Shaw-Baker,)

Plaintiffs,)

v.)

CERTIFICATE OF SERVICE

Bessie Huckabee, Kay Passailaigue Slade,)
Sandra Byrd, Henry McMaster, in his)
capacity as Attorney General of)
South Carolina, State Budget and Control)
Board, South Carolina Retirement System,)
ING, South Carolina Deferred)
Compensation Program and National Life)
Insurance Company,)

Defendants.)

IN RE: THE ESTATE OF:)
ALICE SHAW-BAKER)
_____)

I, Peter A. Kouten, hereby certify that I have served John Hughes Cooper, attorney for Plaintiff's Betty Fisher and Lisa Fisher with the following pleading(s) by U.S. Mail, postage paid and return address affixed, on October 21st, 2009.

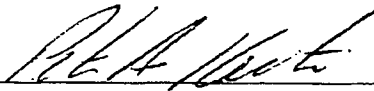
COUNSEL SERVED:

John Hughes Cooper, Esquire
John Hughes Cooper, P.C.
Post Office Box 395
Sullivan's Island, SC 29482

PLEADINGS SERVED:

Defendant Bessie Huckabee's First Set of Interrogatories Directed to the Plaintiff Betty Fisher
Defendant Bessie Huckabee's First Requests to Produce Directed to the Plaintiff Betty Fisher
Defendant Bessie Huckabee's First Requests to Admit Directed to the Plaintiff Betty Fisher

Defendant Bessie Huckabee's First Set of Interrogatories Directed to the Plaintiff Lisa Fisher
Defendant Bessie Huckabee's First Requests to Produce Directed to the Plaintiff Lisa Fisher
Defendant Bessie Huckabee's First Requests to Admit Directed to the Plaintiff Lisa Fisher



Peter A. Kouten, Esquire
Attorney for Defendants Bessie Huckabee,
Kay Passaillaigue and Sandra Bird
PO Box 340
Johns Island, SC 29457
Phone: 843-670-3919
Fax: 843-559-4102
e-mail: pkouten@gmail.com

This 29 day of October, 2009.
Charleston, South Carolina

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CIVIL ACTION 2009-CP-10-3010

Betty Fisher, and Lisa Fisher, as)
Conservator for Alice Shaw-Baker,)
Plaintiffs,)

vs.)

DEFENDANT BESSIE HUCKABEE'S
FIRST INTERROGATORIES TO
PLAINTIFF LISA FISHER

Bessie Huckabee,)
Kay Passailaigue Slade,)
Sandra Byrd, Henry McMaster,)
in his capacity as Attorney)
General of South Carolina,)
State Budget and Control Board,)
South Carolina Retirement System,)
ING, South Carolina Deferred)
Compensation Program)
And National Life Insurance)
Company,)
Defendants.)

IN THE MATTER OF:)
ALICE SHAW-BAKER)

TO: LISA FISHER, Respondent and attorney for Respondent, John Hughes Cooper.

Defendant, BESSIE HUCKABEE serves, pursuant to Rules 26 and 33 of the South
Carolina Rules of Civil Procedure, full and complete written answers to the following
interrogatories:

INSTRUCTIONS

A. Where the following interrogatories request you to identify a person, firm, association,
company, or corporation, please identify them by stating the full name and last known address of
the person, firm, association, company, or corporation and phone number.

B. Where the following interrogatories request you to identify a document, this term means all original writings of any nature whatsoever and all non-identical copies in your possession, custody, or control or in the possession, custody, or control of your attorney, but is not limited to, correspondence, diagrams, data processing, storage units, tapes, photographs, contracts, invoices, receipts, bills, orders, notes, computer data, e-mails, and other written communications, and other documents as identified in Rule 34 of the South Carolina Rules of Civil Procedure. In all cases where the original and/or non-identical copies are unavailable, "document" also means copy.

C. Where the following interrogatories request you to identify a writing, recording, photograph, or other type of document, please state for each such writing, recording, photograph, or other document:

1. Its date;
2. The name, address, and representative capacity, if any, of each person, writing, recording, photographing, making, or signing it;
3. Its subject matter; and
4. The name, address, and representative capacity, if any, of each person in whose custody it is now being kept or to whose control it is subject.

D. In the event that any document or thing called for in any of these requests has been destroyed, lost, discarded or otherwise disposed of, identify as completely as possible, each document or thing, including without limitation, the following information: date of disposal, place and manner of disposal; reason for disposal; person authorizing the disposal; and persons disposing of the document or thing.

INTERROGATORIES

1. Please identify each person who had communication with Alice Shaw-Baker concerning the Last Will and Testament of Alice Shaw-Baker currently filed with the Charleston County Probate Court.

2. Please state whether you personally had knowledge of the existence of any will drafted by Alice Shaw-Baker or an attorney for Alice Shaw-Baker and when you received knowledge of same.

3. Please identify each will of which you had knowledge, when you received knowledge of the existence of each will, how you received knowledge of each will, and any information as to the draftsman of each will.

4. Please describe your involvement or that of your attorney and/or his representatives in the clean-up effort of Alice Shaw-Baker's house during her Guardianship proceedings.

5. Please identify all paperwork removed from Alice's house during the clean-up, to include financial statements, insurance statements, tax statements, bank statements, retirement statements, deferred compensation statements, telephone, electric and water bills and their files, repair records, and any other paperwork not described above and produce copies of same.

6. Please describe any keys found at Alice's house and explain what each key is for and the current whereabouts of each key.

7. Please describe and list any and all personal property removed from Alice Shaw-Baker's house including coins, photos, bank statements and state who removed such property and state the current whereabouts of such personal property.

8. Please describe your understanding of Alice's mental condition when you were contacted by her neighbor by phone or in writing.

9. Please explain your understanding of why you were not named in the original Guardianship and Conservatorship Petitions for Alice Shaw-Baker.

10. Please explain how you received notice and knowledge of actions for Guardianship and Conservatorship for Alice Shaw-Baker.

11. Please state when you had knowledge of the existence of a Health Care Power of Attorney executed by Alice Shaw-Baker.

12. Please state when you had knowledge of a Durable Power of Attorney executed by Alice Shaw-Baker.

13. Please state when you had knowledge of the existence of the Last Will and Testament dated May 21, 2001, from whom you received such knowledge and when you came into possession of same, if ever.

14. Please state when you initially contacted Family Services, Inc.

15. Please list all documents and property held by Family Services, Inc. on behalf of Alice Shaw-Baker, state when these items were turned over to you and produce copies of each and every item(s) received from Family Services, Inc.

16. Please state when you or your attorney had knowledge of the existence of a safe deposit box in the name of Alice Shaw-Baker and produce an inventory of same and produce copies of all documents contained in the safe deposit box. *safety?*

17. Please describe your efforts or that of your attorney to provide a framework for care for Alice Shaw-Baker prior to your appointment as Guardian and provide any email or correspondence with care providers in Charleston prior to your permanent appointment as Guardian.

18. Please describe your efforts in finding suitable living arrangements for Alice other than her house prior to and subsequent to your appointment as Guardian.

19. Please describe your instructions to Alice's caregivers after you appointment as Guardian in the event of emergency during times when you were not in Charleston.

20. Please state if you stayed with Alice if you came to Charleston, South Carolina, during the probate of the Estate of John Lucas.

21. Please state your relationship with the following attorneys, whether you have spoken with each and in what context they provided services for either you or Alice Shaw-Baker.

- a) Daniel Goldstein, Esquire
- b) N. Edward Horowitz, Esquire

c) J. Michael Mitchum, Esquire

22. Please state whether Alice Shaw-Baker ever discussed with you her last wishes and if so, state when these communications occurred.

23. Please state whether it is your contention the Estate of Alice Shaw-Baker owes you any money, and if so, produce supporting documentation.

24. Please explain why your application for Pro Hac Vice in this matter did not state that you are a named Plaintiff in the Complaint for which you have applied.

25. Please explain why you would not be an indispensable witness to testify to your claims in the matters at bar in this case.

26. Please describe what you do for a living, for how long, any licensing requirements.

27. Please describe with specificity the exact nature and specialty of your practice.

28. Please state whether you have, within the last two years, accepted court appointments as either Guardian and/or Conservator other than that of Ms. Shaw-Baker in this state or any other state and provide the number of such appointments accepted and the name and state of each appointing court.

29. Please state your approximate net worth and your approximate annual income.

30. Please identify every witness known to you or your attorney who may have facts relevant to the determination of this action and produce same.

31. Please identify all documents which relate to the claims or defenses raised by the parties in this action and produce same.

32. Please identify each expert witness whom you may call to testify at trial. Please state the subject matter of each witness' testimony and whether said witness has received compensation for their services. Please produce a copy of each communication and each report produced by each witness.

33. Please identify any photographs in your possession, custody, and control that relate to this claim and produce same.

34. Please state when and where Alice Shaw-Baker instructed you to revoke Alice Shaw-Baker's May 21, 2001 will.

35. Please identify each and every instance where Ms. Huckabee and/or Ms. Slade coerced Ms. Shaw-Baker by undue influence or otherwise to execute her May 21, 2001 will.

36. Please identify each and every instance where Ms. Huckabee and/or Ms. Slade coerced Ms. Shaw-Baker by undue influence or otherwise to execute her February 13, 2001 will.

37. Please identify each and every instance where Ms. Huckabee and/or Ms. Slade coerced Ms. Shaw-Baker by undue influence or otherwise to execute her April 5, 1996 will.

38. Please identify each and every instance where Ms. Huckabee and/or Ms. Slade coerced Ms. Shaw-Baker by undue influence or otherwise to execute her January 7, 1993 will.

39. Please identify each and every instance where Ms. Huckabee and/or Ms. Slade failed to assist Ms. Shaw-Baker with staying in her home and avoiding placement in an assisted living facility.

40. Please identify each and every instance where Ms. Huckabee and/or Ms. Slade concealed Ms. Shaw-Baker's condition from you or Lisa Fisher and/or other members of Ms. Shaw-Baker's family.

41. Please identify every instance where you had personal knowledge of Ms. Shaw-Baker's medical condition including her diagnosis of cancer after October 2008, how you received this information, and to whom you conveyed same.

42. Please state the date of the first time you were in Alice Shaw-Baker's house in 2009.

43. Please state when and where Ms. Shaw-Baker executed a subsequent will that revoked her May 21, 2001 will.

44. Please identify said subsequent will.

45. Please identify each and every person who has knowledge of the execution of a subsequent will and identify the will's draftsman, notary, and witnesses, including names, addresses, and telephone numbers.

46. Please identify each attorney that was sought out by Ms. Huckabee and/or Ms. Slade for the purpose of assisting Ms. Shaw-Baker in executing a will.

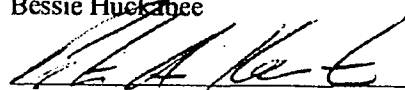
47. Please state each and every communication you had with Ms. Shaw-Baker where she stated that the money she was leaving Ms. Slade was solely to be used for animal welfare and rescue projects and attach any correspondence which detail these communications.

48. Please explain Alice's relationship with Norman K. Miller and Alice's ties with the Jewish faith and the Jewish Synagogue-Kahal Kadosh Beth Elohim.

The above interrogatories shall be answered under oath and signed by each Plaintiff within 30 days as required by the South Carolina Rules of Civil Procedure.

Respectfully Submitted by,

ATTORNEY FOR DEFENDANT
Bessie Huckabee



Peter A. Kouten
THE KOUTEN LAW FIRM, LLC
PO BOX 340
JOHNS ISLAND, SC 29457
OFFICE: 843-670-3919
FAX: 843-559-4102

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	CIVIL ACTION 2009-CP-10-3010
Betty Fisher, and	)	
Lisa Fisher,	)	
as Conservator for	)	
Alice Shaw-Baker,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	<u>LISA FISHER'S DISCOVERY RESPONSES</u>
	)	
Bessie Huckabee,	)	
Kay Passailaigue Slade,	)	
Sandra Byrd,	)	
Henry McMaster,	)	
in his capacity as	)	
Attorney General	)	
of South Carolina,	)	
State Budget and	)	
Control Board, South	)	
Carolina Retirement	)	
System, ING, South	)	
Carolina Deferred	)	
Compensation Program,	)	
And National Life	)	
Insurance Company,	)	
	)	
Defendants.	)	
	)	
IN THE MATTER OF:	)	
ALICE SHAW-BAKER	)	
	)	

COMES NOW Plaintiff Lisa Fisher, and, in accordance with Rules 26, 33, and 34 of the South Carolina Rules of Civil Procedure, responds to Defendant Huckabee's discovery requests as follows:

Requests for Production

1. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably

calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. Also, the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions: Without waiving said objections, plaintiff responds as follows:

After a diligent search and reasonable inquiry to locate the item demanded, this Plaintiff has no document which is within this Plaintiff's possession, custody, or control.

2. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. Also, the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions: Without waiving said objections, plaintiff responds as follows:

After a diligent search and reasonable inquiry to locate the item demanded, this Plaintiff has no document which is within this Plaintiff's possession, custody, or control.

3. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. Also, the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions: Without waiving said objections, plaintiff

responds as follows:

After a diligent search and reasonable inquiry to locate the item demanded, this Plaintiff has no document which is within this Plaintiff's possession, custody, or control.

4. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. Also, the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions: Without waiving said objections, plaintiff responds as follows:

After a diligent search and reasonable inquiry to locate the item demanded, this Plaintiff has no document which is within this Plaintiff's possession, custody, or control.

5. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. The term "executed" is vague and ambiguous. Without waiving any objections, plaintiff responds:

No documents at this time. Discovery is continuing.

6. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. The term "of a will" is vague and ambiguous. Without waiving any objections, plaintiff responds:

No documents at this time. Discovery is continuing.

7. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. Also,

the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. Additionally, plaintiff objects on the grounds that the attorney-client privilege protects disclosure of the information sought and as such is violative of the attorney work product privilege. The request calls for information which is available to all parties equally and is therefore oppressive and burdensome to Plaintiff. The request invades this plaintiff's and Alice's right of privacy under the South Carolina and United States Constitutions.

8. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous. Also, the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. Additionally, plaintiff objects on the grounds that the attorney-client privilege protects disclosure of the information sought and as such is violative of the attorney work product privilege. The request invades this plaintiff's and Alice Shaw Baker's rights of privacy under the South Carolina and United States Constitutions.

9. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Also, the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions.

10. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably

calculated to lead to the discovery of admissible evidence. Also, the request seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence at trial. Further, it fails to comply with S.C. Rules Civ. Proc. Rule 34(B) by failing to designate and specifically describe each item and does not reasonably particularize each category of item as required by the code. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions.

11. Objection to this demand is made on the grounds that this demand is unduly burdensome and seeks documents which are not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This demand is overly broad, burdensome, vague and ambiguous Without waiving any objections, plaintiff responds:

Plaintiff agrees to comply with this request. Documents responsive to this request have already been produced.

INTERROGATORIES

1. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous. Without waiving said objection, Plaintiff responds as follows:

I am informed and believe that Alice spoke to everyone about her desires that her monies go to animal charities, including but not limited to:

- a. Plaintiff
- b. Betty Fisher
- c. John Smoak
- d. Bessie Huckabee
- e. Kay Slade
- f. Sandra Byrd
- g. John Ancrum ASPCA
- h. Beth Hydrick; Office Coordinator; SC Deferred Compensation Plan; ING; 200 Arbor Lake Drive, Ste. 125; Columbia, SC 29223 (803) 754-7997.
- I. Candace Dionne; Plan Administrator; ING, 1775 Lisbon Street; Lewsiton, ME 04240 Tel: 617-867-7386

- j. Jane Orenstein
- k. Elisabeth Spencer
- l. Walter Huff
- m. Peter Kouten

Discovery is continuing. Plaintiff reserves the right to supplement and amend this answer.

2. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Also, said interrogatory is compound. Further, it is vague and ambiguous. Without waiving said objection, Plaintiff responds as follows:

I now have personal knowledge of the wills purportedly drafted by Alice, or by someone on her behalf. Other than the May, 21, 2001 will, I did not discover the other wills until after her death. Alice told me in October and December, on numerous occasions that she wanted me to revoke the Will. I have personal knowledge that the May 21, 2001 will was revoked by Alice on or about January 1, 2009.

3. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. This interrogatory is oppressive and burdensome and would result in annoyance, embarrassment or oppression. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions. Without waiving said objections, plaintiff responds as follows:

See responses to No. 2. I have no personal knowledge who drafted the subject wills. No one has told me who drafted the subject wills.

- a. January 7, 1993.
- b. April 5, 1996.
- c. February 13, 2001.
- d. May 21, 2001.

4. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Also, said interrogatory is compound. Further, it is

vague and ambiguous.

5. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Also, said interrogatory is compound. Further, it is vague and ambiguous.

6. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Also, said interrogatory is compound. Further, it is vague and ambiguous.

7. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Also, said interrogatory is compound. Further, it is vague and ambiguous.

8. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous as to terms "mental condition" and "by her neighbor". Further, this Plaintiff has not made any decision on evidence to be offered at trial.

9. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Further, it is vague and ambiguous. Said interrogatory is incompetent and unintelligible.

Without waiving objection to said interrogatory, plaintiff responds.

I wasn't given notice of the proceedings prior to the filing of the action.

10. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Also, said interrogatory is compound. Further, it is vague and ambiguous. Said interrogatory is incompetent and unintelligible.

Without waiving objection to said interrogatory, plaintiff

responds.

I was given notice by Attorney C. Mac Gibson after the guardianship was established.

11. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous. Without waiving said objection, Plaintiff responds as follows:

I have had knowledge of the existence of a Health Care Power of Attorney for Alice for many years.

12. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous. Without waiving said objection, Plaintiff responds as follows:

I have had knowledge of the existence of a Durable Power of Attorney for Alice for many years.

13. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous. Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

I had knowledge of the existence of the May 21, 2001 Will after I saw it, sometime in or about October 2008.

14. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is

vague and ambiguous. Without waiving said objection, Plaintiff responds as follows:

I first contacted Family Services Inc. in or about October 2008.

15. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Also, said interrogatory is compound. Further, it is vague and ambiguous.

16. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Also, said interrogatory is compound. Further, it is vague and ambiguous.

17. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous as "to provide a framework for care". Said interrogatory is incompetent and unintelligible.

18. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous as "your efforts in finding suitable living arrangements". Said interrogatory is incompetent and unintelligible.

19. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in

that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous as "in the event of emergency". Said interrogatory is incompetent and unintelligible.

20. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Also, said interrogatory is compound. Further, it is vague and ambiguous.

21. Objection to this interrogatory is made on the grounds that to answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further said interrogatory is vague as to the term "relationship." Also, said interrogatory is compound. Without waiving said objections, plaintiff responds:

- a) **I have no relationship with Daniel Goldstein. He has not provided services to me, and I have no personal knowledge as to the services he provided to my aunt Alice Shaw-Baker.**
- b) **I have no relationship with N. Edward Horowitz. He has not provided services to me, and I have no personal knowledge as to the services he provided to my aunt Alice Shaw-Baker.**
- c) **I have no relationship with J. Michael Mitchum. He has not provided services to me.**

Discovery is continuing. Plaintiff reserves the right to amend and/or supplement this answer.

22. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. Further, to answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions. Also, said

interrogatory is compound. Without waiving said objections, plaintiff responds:

Alice spoke to me on several occasions, before and after she was conserved, about her desire that all of her estate go to animal charities. These conversations were by phone and in person.

23. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Also, said interrogatory is compound. Without waiving said objections, plaintiff responds as follows:

I have filed a creditor's claim in this action for my fees for services as Conservator and/or Guardian.

24. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Further, said question is incompetent and unintelligible. Without waiving said objections, plaintiff responds as follows:

I properly completed the application for Pro Hac Vice as required under the Rules of South Carolina.

25. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Further, said question is incompetent and unintelligible.

26. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Further, said question is incompetent and unintelligible. Also, said interrogatory is compound. Without waiving said objections, plaintiff responds as follows:

I am a California attorney in good standing, licenses with the State Bar of California since 1997.

27. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Also, it invades this plaintiff's **right of privacy** under the South Carolina and United States Constitutions. Further, plaintiff requests on the ground that it seeks information protected under plaintiff's trade privilege, the attorney-client privilege, and attorney work product. Further,

said question is incompetent and unintelligible. Also, said interrogatory is compound. Without waiving said objections, plaintiff responds as follows:

I am self-employed. The majority of my work is in civil and probate litigation.

28. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Also, it invades this plaintiff's **right of privacy** under the South Carolina and United States Constitutions. Further, plaintiff requests on the ground that it seeks information protected under plaintiff's trade privilege, the attorney-client privilege, and attorney work product. Further, said question is incompetent and unintelligible. Also, said interrogatory is compound. Without waiving said objections, plaintiff responds as follows:

No.

29. Objection to said interrogatory is made on the ground that it invades this plaintiff's **right of privacy** under the South Carolina and United States Constitutions. Further, plaintiff requests on the ground that it seeks information protected under plaintiff's trade privilege, the attorney-client privilege, and attorney work product. The interrogatories seek information concerning plaintiff's financial condition. Also, To answer this question would result in annoyance, embarrassment, or oppression plaintiff in that the question is boilerplate. Further, said question is incompetent and unintelligible.

30. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous. Also, said interrogatory is compound. Further, said question is incompetent and unintelligible as to "produce same." Without waiving said objection, Plaintiff responds as follows:

- a. **Plaintiff**
- b. **Betty Fisher**
- c. **John Smoak**
- d. **Bessie Huckabee**

- e. Kay Slade
- f. Sandra Byrd
- g. John Ancrum ASPCA
- h. Beth Hydrick; Office Coordinator; SC Deferred Compensation Plan; ING; 200 Arbor Lake Drive, Ste. 125; Columbia, SC 29223 (803) 754-7997.
- I. Candace Dionne; Plan Administrator; ING, 1775 Lisbon Street; Lewsiton, ME 04240 Tel: 617-867-7386
- j. Peter Kouten
- k. Jane Orenstein
- l. Elisabeth Spencer
- m. Walter Huff
- n. Dr. Rosen
- o. Dr. Wade
- p. Rebecca McCrudden
- q. Dr. Mulberry
- r. Candace Rickborn

Discovery is continuing.

31. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Also, said interrogatory is compound. Further, it is vague and ambiguous as to "claims" or "defenses raised by the parties". Without waiving said objection, Plaintiff responds as follows:

Discovery is continuing, all documents produced via subpoena and by defendants State Budget and Control Board, South Carolina Retirement System, ING, South Carolina Deferred Compensation Program and National Life Insurance Company relate to the claims of plaintiffs. All Wills subject to this litigation relate to the claims of plaintiffs. Discovery is continuing.

32. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is

vague and ambiguous. Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

No expert witness has been retained at this time. Discovery is continuing.

33. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous. Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

Plaintiff has no photos within this Plaintiff's possession, custody or control. Discovery is continuing.

34. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous as to the request "to be obtained by plaintiff." Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

When I was visiting Alice in South Carolina, she told me in October and December, on numerous occasions that she wanted me to revoke the Will. I have personal knowledge that the May 21, 2001 will was revoked by Alice on or about January 1, 2009.

35. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous. Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

Huckabee made Alice believe she would make sure that all of her monies went to dog Charities. Slade convinced Alice she ran a dog charity. When she learned that Slade no longer ran the dog rescue, she did not want her to have the money. Huckabee and

Slade knew that Alice was fragile and vulnerable, and that she was subject to undue influence. They continued to represent that Slade had the dog charity, and Huckabee confirmed this to Alice.

This confirmation never allowed Alice the opportunity to change her estate plan, until Alice Shaw-Baker revoked the Will in Lisa Fisher's presence. Discovery is continuing.

36. See responses and objections to no. 35.

37. See responses and objections to no. 35.

38. See responses and objections to no. 35.

39. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous as to the request "to be obtained by plaintiff." Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

Both Slade and Huckabee refused to help Alice avoid conservatorship. Slade and Huckabee reported Alice to Charleston County Elder Services which led to Alice being conserved. They took this action after her last dog died. They failed and refused to tell Alice that they were taking this action. They did not tell Alice's family that she needed assistance. Huckabee refused to act as agent under the Durable Power of Attorney for finances and/or healthcare as she promised Alice. Both Slade and Huckabee stated that Alice could not live alone, but made no attempt to help her.

40. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous as to the request "to be obtained by plaintiff." Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

Huckabee and Slade knew about Betty Fisher and Lisa Fisher and other family members. They knew that Alice was vulnerable and fragile. They knew the condition of her home.

They knew that she was heartbroken about the loss of her dogs. They knew that she was calling them repeatedly. They knew that Alice did not want to be under a conservatorship/guardianship. They failed and refused to contact any of Alice's family. They knew that they were concealing the fact that Slade no longer had a dog charity, and that Alice's estate was supposed to be used for a dog charity.

41. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Further, to answer this question would result in annoyance, embarrassment, or oppression, and requires the release of protected medical information in violation of Alice Shaw-Baker's rights. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions.

Also, said interrogatory is compound.

42. Objection to this interrogatory is made on the grounds that it is not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence. Further, to answer this question would result in annoyance, embarrassment, or oppression, and requires the release of protected medical information in violation of Alice Shaw-Baker's rights. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions.

Also, said interrogatory is compound. Without waiving said objections, plaintiff responds:

I visited Alice often in 2008 and 2009. I believe the first time I visited was in Late August or September, 2008.

43. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. To answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Further, it is vague and ambiguous as to the request "to be obtained by plaintiff." Also, said interrogatory is compound. Without waiving said objection, Plaintiff responds as follows:

Unknown at this time. Discovery is continuing.

44. **See objections and responses to no. 43.**

45. **See objections and responses to no. 44**

46. Objection to this interrogatory is made on the grounds that it is compound. Without waiving said objection, plaintiff responds:

Discovery is continuing, unknown at this time.

47. Objection to this interrogatory is made on the grounds it seeks to ascertain all facts or other data which plaintiff intends to offer at trial and as such is violative of the attorney work product privilege. Also, to answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. The request invades this plaintiff's right of privacy under the South Carolina and United States Constitutions. Also, said interrogatory is compound. Without waiving said objections, plaintiff responds:

Alice spoke to me on several occasions, before and after she was conserved, about her desire that all of her estate go to animal charities. These conversations were by phone and in person. Prior to being conserved, she informed me that all her monies were going to animal charities only. After being conserved, she revoked the will on or about January 1, 2009.

48. Objection to this interrogatory is made on the grounds that to answer this question would result in annoyance, embarrassment, or oppression to plaintiff in that the question is overly broad, indefinite as to time and without reasonable limitation in its scope. Also, said interrogatory is compound. The request invades this Alice Shaw-Baker's right of privacy under the South Carolina and United States Constitutions. Without waiving said objection, plaintiff responds:

Discovery is continuing, unknown at this time.

RESPECTFULLY SUBMITTED,

JOHN HUGHES COOPER, P.C.

By:

JOHN HUGHES COOPER, ESQUIRE
Federal Court ID 298
South Carolina Bar 1387
State Bar of Georgia 185986
1808 Middle Street
Post Office Box 395
Sullivan's Island, SC 29482
843-883-9099; fax 843-883-9335
shiplaw@jhcooper.com

and

CAIN DENNY, ESQUIRE
Federal ID 7383
South Carolina Bar 13590
CAIN DENNY, P.A.
P.O. Box 1205
Charleston, S.C. 29402
843-965-5400; fax 843-883-9335
cain@intercoastproperties.com

ATTORNEYS FOR PLAINTIFFS,
BETTY FISHER AND
LISA FISHER, AS CONSERVATOR FOR
ALICE SHAW-BAKER

CERTIFICATE OF SERVICE

I hereby certify that we served counsel for all active parties in this action with a copy of the forgoing Lisa Fisher's Discovery Responses by email and by first class mail on January 11, 2010.

John Hughes Cooper

THE STATE OF SOUTH CAROLINA

In the Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Thomas L. Hughston, Jr., Circuit Court Judge

Circuit Court Case No. 2009-CP-10-3010
Appellate Court Case No. 2018-000566

Betty Fisher and Lisa Fisher, ...Appellants

v.

Bessie Huckabee, Kay Passailaigue Slade and Sandra Byrd,.....Respondents

In the Matter of the Estate of Alice Shaw-Baker.

PROOF OF SERVICE

I certify that I have served **SECOND SUPPLEMENTAL RECORD ON APPEAL BY STIPULATION (CONCURRENTLY WITH APPELLANT LISA FISHER'S MOTION FOR LEAVE TO SUPPLEMENT RECORD ON APPEAL TO REBUT RESPONDENTS' FACTUAL MISSTATEMENTS MADE AT ORAL ARGUMENT** postage prepaid, on December 4, 2018 (and via email) addressed as follows:

Betty Fisher
PO Box 91112
Long Beach, CA 90809-1112
(Personal service only)

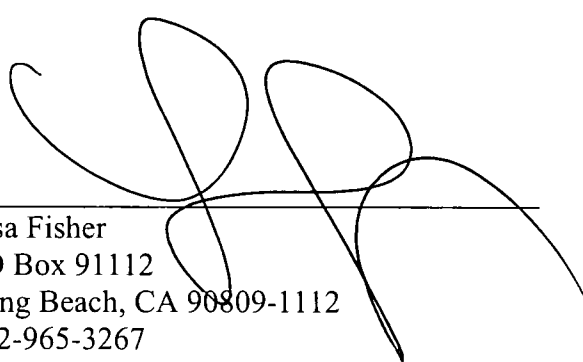
Jessica L. Crowley, Esquire
PO Box 30189
Charleston, SC 29417

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

Courtesy Copy via email to:

Hon. Mary France Jowers, Esquire
Assistant Attorney General
PO Box 11549
Columbia, SC 29211

4 ~~PP~~
December 3, 2018



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