

Exhibit 0

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

RUSSELL L. BAUKNIGHT, as Trustee of the James Brown 2000 Irrevocable Trust and the James Brown Legacy Trust, as Personal Representative of the Estate of James Brown, and on behalf of Alan Wilson, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James Brown II; Daryl J. Brown, individually and on behalf of his minor child Janise Vanisha Brown; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown-Lewis; Yamma N. Brown, individually and on behalf of her minor children Sydney Lumar and Carrington Lumar; Tonya Brown; Venisha Brown Larry Brown; and Terry Brown

and

ALAN WILSON, in his capacity as Attorney General of the State of South Carolina; TOMMIE RAE BROWN, individually and on behalf of her minor child, JAMES BROWN II; DARYL J. BROWN, individually and on behalf of his minor child JANISE VANISHA BROWN; LINDSEY DELORES BROWN; DEANNA J. BROWN THOMAS; JASON BROWN-LEWIS; YAMMA N. BROWN, individually and on behalf of her minor children SYDNEY LUMAR and CARRINGTON LUMAR; TONYA BROWN; VENISHA BROWN; LARRY BROWN; and TERRY BROWN,

Plaintiffs

v.

Adele J. Pope,

Defendant

IN THE COURT OF COMMON PLEAS

FOR THE FIFTH CIRCUIT

Civil Action No. 2010-CP-40-4900

RICHLAND COUNTY
FILED
2016 SEP 27 PM 2:52
JEANNETTE W. MCBRIDE
C.C.P. & G.S.

ORDER GRANTING PLAINTIFFS'
MOTION FOR PROTECTIVE ORDER
AS TO DARYL J. BROWN AND TONYA
BROWN

RECEIVED

DEC 17 2018

SC Court of Appeals

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Order Granting Plaintiffs' Motion
for Protective Order as to
Daryl J. Brown and Tonya Brown
2010-CP-40-4900

This matter came before the Court on Monday, August 29, 2016 on Plaintiffs' Motion for Protective Order to prevent the retaking of Mr. Daryl Brown and Mrs. Tonya Brown's depositions. The Court heard oral arguments from Mark V. Gende on behalf of the Plaintiffs and M. Brent McDonald on behalf of Mrs. Pope. For the following reasons, the Court GRANTS Plaintiffs' Motion for Protective Order.

It is undisputed that Daryl and Tonya Brown were deposed in this matter by counsel for Mrs. Pope on December 21, 2012 and February 8, 2013, respectively. Rule 30(a)(2) of the South Carolina Rules of Civil Procedure provides, in part, that the "deposition of any party or witness may only be taken one time in any case except by agreement of the parties through their counsel or by order of the court for good cause shown." Counsel for Mrs. Pope asserts that good cause exists because Daryl and Tonya Brown have allegedly changed their positions in respect to some of the issues raised in the case. However, counsel for Mrs. Pope made only conclusory allegations of these allegedly changed positions, did not provide any evidence that the alleged changes related to any material issues in the case, and cited no authority to support the contention that such alleged changes amounted to good cause. Conclusory allegations of changed positions is not good cause to permit a second deposition of a party under Rule 30(a)(2). The opposing party will have full opportunity at trial to impeach any party or witness concerning any allegedly changed positions that are inconsistent with prior deposition testimony.

Furthermore, to the extent Mrs. Pope is relying on this Court's April 8, 2016 order stating that "discovery in the case shall begin anew" as grounds to retake Daryl and Tonya Brown's depositions, the Court clarifies that order. The discovery to which the Court is referring in its April 8, 2016 Order is the prior interrogatories and requests to produce between the parties,

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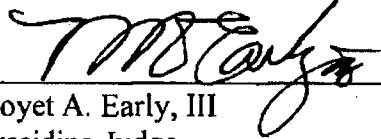
Order Granting Plaintiffs' Motion
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which had become encumbered by a multitude of motions to compel and cross motions for protection. The Court intended only for written discovery to begin anew as a way to clear the docket of all the pending motions concerning written discovery. The Court did not intend that depositions that have been taken be re-taken.

Therefore, it is ORDERED that the Plaintiffs' Motion for Protective Order as to Mr. Daryl Brown and Mrs. Tonya Brown is hereby GRANTED.

IT IS SO ORDERED.

Sept 21, 2016



Doyet A. Early, III
Presiding Judge