

Exhibit U

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF RICHLAND

FOR THE FIFTH CIRCUIT

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

Civil Action No. 2010-CP-40-4900

ORDER CONCERNING PLAINTIFFS' MOTION FOR EXCEPTION TO THE PHYSICAL PRESENCE RULE AT MEDIATION

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

RICHLAND COUNTY
FILED
2012 OCT -5 AM 10:51
JEANETTE W. McBRIDE
C.C.P. & G.S.

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SC Court of Appeals

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TO: COUNSEL FOR THE PLAINTIFFS AND THE DEFENDANT:

This matter comes before the Court on Plaintiffs' Motion For An Exception To The Physical Presence Rule At Mediation.

The Court held a hearing on this Motion on October 4, 2012, with Plaintiffs being represented by Mark Gende, Esquire and Aaron Hayes, Esquire, and Defendant Pope being represented by Adam Silvernail, Esquire.

After hearing oral argument for the motion from Plaintiffs' counsel and oral argument in opposition to the motion from Defendant's counsel and after carefully reading and considering Plaintiffs' Motion and all objections and requests raised in Defendant's Objection to Motion of Plaintiffs/Counterclaim Defendants to Avoid Physical Presence at Mediation and Memorandum in Support of Sanction; Guardian ad litem for Incarcerated Plaintiff/Counterclaim Defendant and Related Relief (Defendant's Memorandum), the Court hereby finds and orders as follows:

1. The Court directs the parties to proceed with and participate in good faith in the mediation scheduled for October 12, 2012.
2. Plaintiffs' motion is GRANTED to the extent it seeks an exception to the physical presence rule at mediation for represented James Brown family members, provided any absent family member is represented by counsel that is physically present.
3. Plaintiffs' motion is GRANTED to the extent it seeks an exception to the physical presence rule at mediation for all of the minor children and for a jailed adult family member. The court FINDS, under these facts and circumstances, that for this mediation there is no necessity to appoint any guardians *ad litem*.

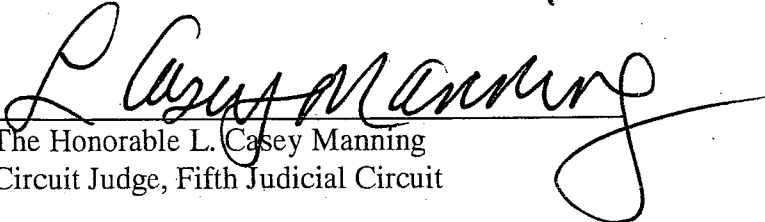


4. The issue concerning Mr. Daryl Williams' attendance is MOOT, because Mr. Silvernail represented to the Court that Mr. Williams would be present at mediation. HOWEVER, the parties are directed to reach an agreement concerning how Mr. William's adjuster is to participate in the mediation. Should the parties be unable to agree, the mediator shall determine how the carrier's representative is to participate.

5. The Court has considered Plaintiffs' request concerning the division of costs for mediation and HOLDS IN ABEYANCE any ruling upon allocation of costs until after mediation.

6. To the extent inconsistent with this Order, all other relief requested by the Defendant's Memorandum is DENIED.

AND IT IS SO ORDERED.


The Honorable L. Casey Manning
Circuit Judge, Fifth Judicial Circuit

Dated this 5 day of Oct., 2012

Columbia, South Carolina

