

**Exhibit 1**

**Order filed 1/3/19**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GEORGETOWN )

IN THE COURT OF COMMON PLEAS FOR  
THE FIFTEENTH JUDICIAL CIRCUIT

CASE NO: 2018-CP-22-00430

Karl M. Killmer, in his capacity as Co- )  
Trustee of the Walker P. Inman Revocable )  
Trust dated January 25, 2005, )

Plaintiff, )

vs. )

US Investments Enterprises Trust, through )  
its Trustee, Matthew G. Grimmer, Daralee )  
Inman, Walker Patterson Inman, III, )  
Georgia Noel Inman, )

Defendants. )

and )

US Investments Enterprises Trust dated )  
May 26, 2016, Matthew G. Grimmer, )  
Trustee, )

Counterclaimant, )

vs. )

Karl M. Killmer, in his capacity as Co- )  
Trustee of the Walker P. Inman Revocable )  
Trust dated January 25, 2005; and Daralee )  
Inman, )

Counterclaim Defendants. )

and )

Walker Patterson Inman, III, )

Cross-Claimant, )

vs. )

Daralee Inman, )

Cross-Claim Defendant. )

ORDER ON  
DECEMBER 13, 2018 HEARING

**RECEIVED**  
FEB 21 2019  
SC Court of Appeals

This matter came before the Court on December 13, 2018 for a hearing on Plaintiff's Motion to Disqualify Grimmer Law Firm, Jacob R. Davis and Philip M. Ballif as Counsel, Plaintiff's Motion for Leave to File Second Amended Complaint and Georgia Noel Inman's Motion to Disqualify Philip M. Ballif, Jacob R. Davis and Grimmer, Davis, Revelli and Ballif, PC as Counsel. Present at the hearing were Nate Fata, counsel for Karl M. Killmer, in his capacity as Co-Trustee of the Walker P. Inman Revocable Trust dated January 25, 2005 ("WPI Trust"), Gregory R. Weathers, as counsel for Georgia Noel Inman ("Georgia"), Daniel J. MacDonald and Phillip Balliff, counsel for Defendants US Investments Enterprises Trust ("US Trust"), through its Trustee, Matthew G. Grimmer, and Walker Patterson Inman, III ("Patterson"), and Robert W. Maring, counsel for Daralee Inman.

The Court has carefully reviewed the submissions of the parties, the pleadings, and the arguments presented at the hearing. Pursuant to SCACR, Rule 404(h) and Rule 407, Rules 3.7, 1.6, 1.9 and 1.10, attorneys Jacob R. Davis and Philip M. Ballif and the law firm of Grimmer, Davis, Revelli and Ballif, P.C. and their attorneys (collectively referred to as "Grimmer Law Firm") are hereby disqualified as counsel in this litigation. The *pro hac vice* admission for Davis and Ballif is hereby withdrawn.

Davis, Ballif, Grimmer Law Firm and its counsel were disclosed as witnesses in Plaintiff's and Georgia's supplemental discovery responses. Under SCACR, Rule 407, Rule 3.7, the Grimmer Law Firm, Davis and Ballif are witnesses due to Matthew Grimmer's involvement as a party and the factual issues in the case, which include, but are not necessarily limited to, the prior inspection or investigation of Greenfield Plantation by Grimmer Law Firm or Grimmer and Associates, P.C., Jacob Davis' May 2018 certification to the hazard insurance carrier as attorney in fact for Patterson as to the condition of the Greenfield Plantation structures and their systems,

damages or amounts claimed by Patterson and/or US Trust to the extent such amounts were paid by the Grimmer Law Firm, and/or financial bias of the Grimmer Law Firm and its lawyers. As discovery is ongoing, additional factual issues might arise which may involve the Grimmer Law Firm and its lawyers as witnesses. Any prejudice which might be suffered by US Trust and Patterson with the disqualification does not outweigh the prejudice to the other parties and/or tribunal with Davis and Ballif's continued role as pro hac vice counsel in the litigation. US Trust and Patterson are also represented by Danny MacDonald who is an experienced practitioner.

Under SCACR, Rule 407, Rules 1.6, 1.9, and 1.10, Grimmer Law Firm and its counsel are disqualified as counsel due to Matthew Grimmer's and Jacob Davis' substantial, prior representation of Georgia involving the Wyoming litigation, Greenfield Plantation and other matters and issues which are substantially related to the present litigation. Georgia has objected to the disclosure of confidential information learned by her former counsel during their representation of her. The position of US Trust and Patterson in the litigation is materially adverse to the interest of the Plaintiff WPI Trust, of which Georgia is a beneficiary.

In addition, Davis, Ballif, Grimmer Law Firm and its counsel are hereby disqualified as counsel and their pro hac vice admission is hereby withdrawn for other good cause as set forth in Rule 404(h), SCACR. This basis for withdrawing the pro hac admission is the totality of the circumstances including the substantial representation of Georgia by lawyers in the Grimmer Law Firm, Matthew Grimmer's role as a party in the litigation, the factual issues involved in the case involving witness testimony of Grimmer Law Firm counsel, the interests of the parties and the prejudice which may result from Davis' and Ballif's continuing in their role as pro hac vice counsel in the litigation.

Based on the submissions and arguments of counsel, Plaintiff's Motion for Leave to file the Second Amended Complaint attached to the Motion is hereby granted. Kenneth Hiler is being dismissed as a defendant due to his previously filed Stipulation. No party will be prejudiced with leave being granted.

NOW, THEREFORE, IT IS HEREBY ORDERED that Plaintiff's Motion to Disqualify Davis, Ballif, Grimmer Law Firm and its Counsel is granted. Georgia Inman's Motion to Disqualify Davis, Ballif and Grimmer Law Firm is granted. The pro hac vice admissions of Davis and Ballif are withdrawn. Davis, Ballif and the attorneys in the Grimmer Law Firm are disqualified from appearing as counsel in this case. The Plaintiff's Motion for Leave to File the Second Amended Complaint is granted.

AND IT IS SO ORDERED.

---

The Honorable William H. Seals, Jr.  
Chief Administrative Judge  
15<sup>th</sup> Judicial Circuit

This \_\_\_\_ day of \_\_\_\_\_, 2018



Georgetown Common Pleas

**Case Caption:** Karl M Killmer , plaintiff, et.al VS Matthew G Grimmer , defendant,  
et al  
**Case Number:** 2018CP2200430  
**Type:** Order/Other

IT IS SO ORDERED.

s/ The Honorable William H. Seals Jr. #2157