

# Exhibit G

STATE OF SOUTH CAROLINA )

COUNTY OF AIKEN )

Adele J. Pope, )

Plaintiff, )

v. )

Estate of James Brown and The James )  
Brown 2000 Irrevocable Trust, )

Defendants. )

IN THE COURT OF COMMON PLEAS

Case pending in Aiken County  
No. 2013-CP-02-1337

**ORDER GRANTING  
MOTIONS FOR PROTECTIVE ORDER  
AS TO DOCUMENTS OF  
OF CREIGHTON WATERS  
AND SANDRA MATTHEWS**

This Court heard arguments concerning these motions in Bamberg on May 1, 2017. After reviewing the memoranda submitted regarding the motions and considering the arguments, this Court grants the Motions for Protective Orders of Creighton Waters, Assistant Deputy Attorney General, and Sandra Matthews, Auditor for the Office of the Attorney General, as to the documents on their privilege logs. No privilege objections were made during the depositions of Ms. Matthews and Mr. Waters.

### **THE WATERS DOCUMENTS ARE PRIVILEGED**

Only the following three items are on the Waters log:

1. Memorandum from Creighton Waters to File 3.14.12 Re David Cannon reconsideration Work Product (W/P) and Attorney Client (A/C) Privileged.
2. Email 11.7.11 Cook to McIntosh re Cannon restitution. W/P and A/C privileged
3. Email 2.29.12 Waters to Brian Petrano, Assistant Attorney General, re guilty plea reconsideration. W/P and A/C privileged.

Item 1 would be Mr. Waters' own work product. *In re Grand Jury Proceedings #5*

*mtc*  
#1

ELECTRONICALLY FILED - 2017 Jun 09 2:08 PM - AIKEN - COMMON PLEAS - CASE#2013CP0201337

*Empanelled January 28, 2004*, 401 F.3d 247, 250 (4<sup>th</sup> Cir., 2005) (“The work product privilege protects an attorney's work done in preparation for litigation.”). The emails would also be covered under this privilege and attorney-client privilege. *Tobacoville USA, Inc. v. McMaster*, 692 S.E.2d 526, 529–30, 387 S.C. 287, 293 (2010) (“The attorney-client privilege protects against disclosure of confidential communications by a client to his attorney.”). Communications among staff lawyers of the Office of the Attorney General would certainly be covered by attorney-client privilege.

**THE MATTHEWS DOCUMENTS ARE PRIVILEGED**

The log references only spreadsheets prepared for Sonny Jones. (Log and list, *infra*, Addendum pages 32 and 33). Ms. Matthews explained in her deposition that she merely scheduled bank records and that she was not investigating anyone's actions. “The work product exemption applies not only to documents generated by the attorney, but to memos, reports, notes, and summaries of interviews prepared by others for an attorney's use.” *In re Bloomfield Mfg. Co.*, 977 S.W.2d 389, 392 (Tex.App. San Antonio, 1998). Clearly, these spreadsheets are subject to work product privileges.

For the foregoing, reasons, IT IS ORDERED that the Motions for Protective Order of Creighton Waters and Sandra Matthews be granted as to the documents on their privilege logs as set forth above.

AND IT IS SO ORDERED.

June 6, 2017  
Bamberg, South Carolina

  
\_\_\_\_\_  
DOYET A. EARLY III  
PRESIDING JUDGE