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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
The Honorable Frank Addy, Circuit Court Judge

Case No. 2014-CP-10-07038
Appellate Case No. 2019-000833

RECEIVED
JUN 07 2019
SC Court of Appeals

Wendy C.H. Wellin, Respondent,

v.

Peter Wellin, Cynthia W. Plum, and Marjory W. King, Individually and as Co-Trustees and Beneficiaries of the Wellin Family 2009 Irrevocable Trust, u/a/b November 2, 2009, Appellants,

v.

Wendy C.H. Wellin, Individually and as Trustee of the Keith S. Wellin Florida Revocable Living Trust u/a/d December 11, 2001, Hamilton College, Keith S. Wellin Florida Revocable Living Trust, Campbell Hart, and Heather Lane, Respondents,

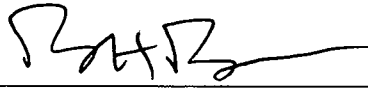
In the Matter of: Keith S. Wellin.

MOTION FOR EXPEDITED CONSIDERATION

Pursuant to Rules 240 and 263(b), SCACR, Appellants/Petitioner respectfully move for expedited consideration of the Petition for a Writ of Supersedeas filed concurrently with this motion. As explained in the Petition, Appellants have appealed the circuit court's Order imposing certain limitations and restrictions on a trial in this proceeding. That appeal is still pending. Nevertheless, the circuit court has informed the parties that it intends to proceed with the trial—commencing in 10 days—notwithstanding the automatic stay. The trial in this matter has implications with respect to hundreds of millions of dollars, and numerous witnesses from out of

state will have to travel for the trial. Accordingly, Appellant Peter Wellin today filed a Petition for a Writ of Supersedeas to stay the trial until after resolution of the pending appeal. In light of the exigency of the circumstances, Appellants respectfully request this court consider and rule upon the Petition expeditiously.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By:  _____

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Charleston, South Carolina
June 7, 2019

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Wendy C.H. Wellin, Individually and as Trustee of the Keith S. Wellin Florida Revocable Living Trust u/a/d December 11, 2001, Hamilton College, Keith S. Wellin Florida Revocable Living Trust, Campbell Hart, and Heather Lane, Respondents,

In the Matter of: Keith S. Wellin.

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PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Peter Wellin, Cynthia Wellin Plum, and Marjorie Wellin King Individually and as Co-Trustees and Beneficiaries of the Wellin Family 2009 Irrevocable Trust, u/a/d November 2, 2009, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings:

VERIFIED PETITION FOR A WRIT OF SUPERSEDEAS

MOTION FOR EXPEDITED CONSIDERATION

APPELLANTS' RETURN TO RESPONDENTS' MOTIONS TO DISMISS

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Lydia Spry
Administrative Assistant

June 7, 2019



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June 7, 2019

Via Hand Delivery

The Honorable Jenny Abbott Kitchings
Clerk of Court
The South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

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SC Court of Appeals

RE: Petition for a Writ of Supersedeas | Return to the Motions to Dismiss
Wendy C.H. Wellin v. Peter Wellin et al.
Appellate Case No. 2019-000833
Civil Action No. 2014-CP-10-7038
Our File No. 039113/01500

Dear Ms. Kitchings:

Please find enclosed an original and seven copies of an emergency Petition for a Writ of Supersedeas in regard to the above-referenced matter. We ask that you file the original and return a clocked-in copy to us via our courier. We are filing the petition with a copy of the signed client verification required by Rule 241(d)(3), SCACR. The original, notarized verification has been placed in the mail for delivery to the Court. Also enclosed is a Firm check for the petition filing fee described in Rule 240, SCACR.

In light of the fact that this Petition and the above-referenced appeal are related to a proceeding decided by a panel of this Court one week ago—*Wellin et al. v. Wellin*, Ct. App. Op. No 5608 (May 29, 2019)—for which the remittitur has not yet been issued, and in light of the extraordinary and exigent circumstances giving rise to this Petition, we respectfully direct this Petition to the attention of the panel that decided that case, namely Judges Konduros, McDonald, and Hill (*i.e.*, “the appellate court where the appeal is pending,” *see* Rule 241(d)). Please assist us by delivering this Petition to them through the appropriate internal avenues at the Court with all possible haste. Our clients’ appeal is currently pending, but the trial court has informed us it intends to proceed with trial in 10 days. Thus this Petition is necessary to preserve our clients’ substantial rights at both the trial and appellate levels.

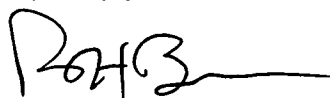
Also enclosed is an original and seven copies of a Motion for Expedited Consideration of the petition in light of the exigency of the matter. We ask that you file the original and return a clocked-in copy to us via our courier. Also enclosed is a Firm check for the motion filing fee.

The Honorable Jenny Abbott Kitchings
June 7, 2019
Page 2

Finally, you will also find enclosed an original and seven copies of Appellants' Return to the Motions to Dismiss the Appeal. We ask that you file the original and return a clocked-in copy to us via our courier. We also ask that you permit this Return also to serve as Appellants' memorandum addressing appealability as requested by your letter dated May 23, 2019.

By copy of this letter to counsel of record, we are serving them with copies of the Petition, the Motion, and the Return to the Motions to Dismiss the Appeal.

Very truly yours,

A handwritten signature in black ink, appearing to read "RHB", followed by a horizontal line extending to the right.

Robert H. Brunson

RHB:ls

Enclosures

cc: Robert H. Hood, Esq.
Molly H. Craig, Esq.
James B. Hood, Esq.
Virginia R. Flood, Esq.
John T. Lay, Jr., Esq.
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