

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

The Honorable Deadra L. Jefferson, Circuit Court Judge

Case No.: 2018-CP-08-00817

RECEIVED
AUG 21 2019
SC Court of Appeals

Ronald L. Jones and Gayle Langley Jones, Thomas Huguenin Gaillard, as Trustee of The Thomas Huguenin Gaillard Revocable Trust, Dated April 3, 2007, and Thomas W. Cone, Jr., as Trustee of The Thomas W. Cone, Jr. Revocable Trust, Dated April 3, 2007, Respondents,

v.

Rogers Townsend & Thomas, P.C.; Lisa Hostetler; Alexander C. Peabody; and Peabody & Associates, Inc., Defendants,

Of Which Rogers Townsend & Thomas, P.C. and Lisa Hostetler are Appellants.

AFFIDAVIT OF J. JAY HULST, ESQ., IN SUPPORT OF RESPONDENTS' THOMAS HUGUENIN GAILLARD, AS TRUSTEE OF THE THOMAS HUGUENIN GAILLARD REVOCABLE TRUST, DATED APRIL 3, 2007, AND THOMAS W. CONE, JR., AS TRUSTEE OF THE THOMAS W. CONE, JR., REVOCABLE TRUST, DATED APRIL 3, 2007, MOTION TO DISMISS APPEAL

PERSONALLY appeared before me, the undersigned, who being first duly sworn, does state:

1. I am counsel for Respondents Thomas Huguenin Gaillard, as Trustee of The Thomas Huguenin Gaillard Revocable Trust, Dated April 3, 2007, and Thomas W. Cone, Jr., as Trustee of The Thomas W. Cone, Jr. Revocable Trust, Dated April 3, 2007, in the above captioned action.

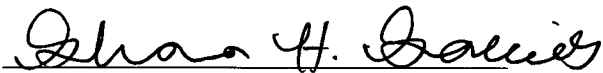
2. I have personal knowledge of the facts set forth herein.
3. Attached as Exhibit 1 is a true and correct copy of Respondent Jones' Complaint.
4. Attached as Exhibit 2 is a true and correct copy of the Easement to Real Estate dated June 14, 2007, and recorded with the Berkeley County Register of Deeds office in Book R6664 at Page 181 on June 22, 2007.
5. Attached as Exhibit 3 is a true and correct copy of Appellants' Answer to Respondent Jones' Complaint.
6. Attached as Exhibit 4 is a true and correct copy of Appellants' Motion to Add a Party (Rule 19 (a)) and Memorandum in Support of said motion.
7. Attached as Exhibit 5 is a true and correct copy of the Transcript of Record for the August 6, 2018, Motion to Add Party hearing before the Honorable Perry M. Buckner.
8. Attached as Exhibit 6 is a true and correct copy of the Form 4 Order issued by the Honorable Perry M. Buckner on August 13, 2018.
9. Attached as Exhibit 7 is a true and correct copy of the Access, Maintenance and Joint Dock Use Agreement dated March 15, 2019, and recorded in the Berkeley County Register of Deeds Office in Book RB2977 at Page 604 on March 22, 2019.
10. Attached as Exhibit 8 is a true and correct copy of an email from counsel for Respondents to counsel for Appellants dated March 22, 2019.
11. Attached as Exhibit 9 is a true and correct copy of an email from counsel for Appellants to Counsel for Respondents dated March 28, 2019.
12. Attached as Exhibit 10 is a true and correct copy of Respondents' Motion for Nonjoinder Pursuant to Rule 21, SCRPC.

13. Attached as Exhibit 11 is a true and correct copy of Appellants' Motion to Amend Answer filed on March 29, 2019.
14. Attached as Exhibit 12 is a true and correct copy of Appellants' Supplemental Memorandum dated May 3, 2019.
15. Attached as Exhibit 13 is a true and correct copy of the Transcript of Record for the May 7, 2019, motion hearings before the Honorable Deadra Jefferson.
16. Attached as Exhibit 14 is a true and correct copy of the Form 4 Order issued by the Honorable Deadra Jefferson on May 9, 2019.
17. Attached as Exhibit 15 is a true and correct copy of Appellants' Motion for Reconsideration or to Alter or Amend filed on May 20, 2019.
18. Attached as Exhibit 16 is a true and correct copy of Respondents' Opposition to Motion for Reconsideration and to Alter or Amend filed on May 29, 2019.
19. Attached as Exhibit 17 is a true and correct copy of the Honorable Deadra Jefferson's June 26, 2019, Order Denying Appellants' Motion to Alter or Amend Judgment.



J. Jay Hulst, Esq.

SWORN to before me this 20th day
of August, 2019


Notary Public for South Carolina
My Commission Expires: 8-20-19

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v.

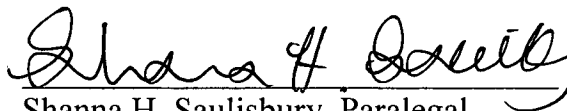
Rogers Townsend & Thomas, P.C.; Lisa Hostetler; Alexander C. Peabody; and Peabody & Associates, Inc., Defendants,

Of Which Rogers Townsend & Thomas, P.C. and Lisa Hostetler are Appellants.

PROOF OF SERVICE

I certify that I have served a copy of Respondents' Thomas Huguenin Gaillard, as Trustee of The Thomas Huguenin Gaillard Revocable Trust, Dated April 3, 2007, and Thomas W. Cone, Jr., as Trustee of The Thomas W. Cone, Jr. Revocable Trust, Dated April 3, 2007, Motion to Dismiss Appeal, Memorandum of Points and Authorities in Support of Motion to Dismiss Appeal, Affidavit of J. Jay Hulst, Esq., in Support of Respondents' Motion to Dismiss Appeal, and Exhibits 1-17 to Affidavit of J. Jay Hulst, Esq., with regard to the above cited matter on all parties by depositing a copy of said Motion, Memorandum and Affidavit in the United States mail, postage prepaid on August 21, 2019, addressed to counsel for Appellant, Warren C. Powell, Jr., Bruner Powell Robbins Wall & Mullins, LLC, Post Office Box 61110, Columbia, South Carolina 29260-1110, and addressed to counsel for Respondents Ronald L. Jones and Gayle Langley Jones, Robert W. Maring, Maring & Moyer, LLC, Post Office Box 478, Georgetown, SC 29442, and on Defendants

Alexander C. Peabody and Peabody & Associates, Inc., Ryan A. Earhart, Earhart Overstreet, LLC, Post Office Box 22528, Charleston, South Carolina 29413.

A handwritten signature in black ink, reading "Shanna H. Saulisbury". The signature is written in a cursive style with a horizontal line underneath the name.

Shanna H. Saulisbury, Paralegal
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WILLIAMS AND HULST, LLC.

ATTORNEYS AT LAW



August 21, 2019

Appellate work
Aviation law
Business formation
Commercial disputes
Condemnation
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Insurance coverage
Municipal law
Personal injury
Probate and estate matters
Real estate
Utility industry related matters
Wills
Wrongful death

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court SC Court of Appeals
Post Office Box 11629
Columbia, SC 29211

RE: Ronald L. Jones v. Rogers Townsend & Thomas, P.C.
Appellate Case No.: 2019-001140

Dear Ms. Kitchings:

Enclosed for filing is an original and six (6) copies of Respondents' Thomas Huguenin Gaillard and Thomas W. Cone, Jr.'s, Motion to Dismiss Appeal, Memorandum of Points and Authorities in Support of Motion to Dismiss Appeal, Affidavit of J. Jay Hulst, Esq., Volume I containing Exhibits 1-12 to the Affidavit and Volume II containing Exhibits 13-17 to the Affidavit, and a Proof of Service in the above cited action.

Thank you for your assistance.

With kindest regards, I remain

Sincerely,

WILLIAMS AND HULST, LLC

J. Jay Hulst

JJH:shs

Enclosures as stated

cc: Warren C. Powell, Esq.
Robert W. Maring, Esq.
Ryan A. Earhart, Esq.
(Via U.S. mail w/enclosures)

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