

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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S.C. SUPREME COURT

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Doyet A. Early III, Circuit Court Judge

Trial Court Case Nos. 2013-CP-02-02849 and 2013-CP-02-02850
Appellate Case No. 2015-002417 (Court of Appeals)
Appellate Case No. 2018-001990 (Supreme Court)

In Re: The Estate of James Brown a/k/a James Joseph Brown,

Tommie Rae Brown.....Respondent,

v.

David C. Sojourner, Jr., in his capacity as Limited
Special Administrator and Limited Special Trustee,
Deanna Brown-Thomas, Yamma Brown, Venisha Brown,
Larry Brown, Terry Brown, and Daryl Brown Respondents below,

Of whom Deanna Brown-Thomas, Yamma Brown, and
Venisha Brown are the Petitioners.

**RESPONDENT TOMMIE RAE BROWN'S RETURN
TO PETITIONERS' MOTION FOR COSTS**

The Respondent, Tommie Rae Brown ("Mrs. Brown"), as and for her Return to
Petitioners' Motion for Costs, respectfully shows this Court as follows:

1. This Court has the discretion to award or to deny costs pursuant to Rules 222 and 242, SCACR.
2. The Respondent, Tommie Rae Brown was married to James Brown in a

ceremonial marriage. At the request of her husband, James Brown, she retained an attorney to annul the first purported marriage. James Brown paid her attorneys' fees and with his consent, knowledge, and support she obtained an annulment.

3. Both the trial court and the Court of Appeals held that Mrs. Brown was legally married to James Brown.

4. Respondent's actions during this litigation were all taken in good faith, and because Petitioners sought appeal after appeal.

5. The Petitioners have now succeeded in obtaining tens of millions of dollars in federal termination rights, which Respondent believed she was entitled to and which she was willing to donate 65% of her allotted share to a trust for needy children, which will now never receive any proceeds from those valuable termination rights.

6. This Court has in effect found that the Petitioners are entitled to these substantial funds instead of Respondent Mrs. Brown and the beneficiaries of the Charitable Trust created by James Brown.

7. It is neither fair nor equitable to assess costs against Respondent Mrs. Brown given this Court's ruling reversing both the trial court and unanimous decision of the Court of Appeals (the appeals court also denied Petitioners' rehearing). This Court denied Mrs. Brown's right to these copyright interests worth millions of dollars, thereby depriving the Charitable Trust of her contribution, and instead granted the entirety of these termination interest rights to Petitioners. Therefore, Petitioners are significantly better positioned and better able to pay the costs that they are seeking.

[Signature Page to Follow]

Respectfully Submitted,



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September 15, 2020