

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas
Roger L. Couch, Circuit Court Judge

Case Nos. 2016-ES-01-00302, 2016-CP-21-1435, 2015-ES-21-00778
Appellate Case No. 2017-002290

Deborah B. Harwell, ... Respondent/Appellant,

v.

Robert Bryan Harwell, individually and as the
Personal Representative of the Estate of
David W. Harwell; and the South Carolina
Department of Health and Environmental Control,
Division of Vital Records, Defendants,

Of whom Robert Bryan Harwell, individually
and as the Personal Representative of the
Estate of David W. Harwell is the Respondent/Appellant,

And the South Carolina Department of
Health and Environmental Control,
Division of Vital Records is the Respondent,

v.

Law Office of Deidre W. Edmunds, P.A.
and Deidre W. Edmunds, Individually, .. Appellants/Respondents.

RESPONDENT'S BRIEF OF R. BRYAN HARWELL

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STATEMENT OF ISSUES ON APPEAL

- I. Whether the circuit court properly sanctioned a lawyer and correctly found there was no justification for the lawyer to file or pursue a claim on a client's behalf seeking repayment from an estate for an obituary the client published without the estate's authorization.
- II. Whether the circuit court properly sanctioned a litigant and correctly found she brought all but one of her claims with total disregard for the law, with the intention of delaying an estate's settlement, and seeking a recovery to which the litigant was not entitled.

STATEMENT OF THE CASE

A. Beginning Summary

This "statement of the case" closely tracks the same section of Bryan Harwell's brief supporting his cross-appeal. The case has a complicated history. This appeal is from circuit court, but the case began its life in probate court and the story of this litigation actually begins in a family court mediation.

David Harwell brought a family court suit against his wife Debbie in March of 2015 seeking a decree of separate support and an order enforcing the parties' prenuptial agreement. (R.p.89, ¶¶1-2).

The parties mediated the case in July of 2015 and executed a "mediation agreement." (R.pp.175-178). The family court approved the mediation agreement and incorporated it into a final order. (R.pp.169-173). These documents—the mediation agreement and the final order approving the mediation agreement—play a central role in this case.

The most important thing about these documents is that they resolved all issues arising out of David and Debbie's marriage except the divorce itself. (R.p.171, ¶8 & p.175, ¶2). Debbie got *a lot* of assets—she got the parties' house in North Carolina (valued at

\$300,000), a one-time payment of \$75,000 in alimony, certain health and retirement benefits, and other items of personal property. (R.pp.175-176, ¶¶3-8).

The parties were also explicitly restrained from disparaging each other, disparaging each other's family, and from contacting each other. (R.p.177, ¶10). Additionally, the settlement documents included straightforward waivers of the right to make a claim against the other party's estate. (R.p.177, ¶12).

David died in September of 2015, two months after the mediation agreement and the family court order. (R.p.144).

David's death certificate gave his marital status as "married but separated." (R.p.144). It indicated "NA" for David's surviving spouse. *Id.*

B. Formal Proceedings up to the Order of Sanctions

In January of 2016, about four months after David died, Debbie filed two pro se claims against David's estate. (R.p.61). One sought \$3.1 million based on a "prenuptial agreement." *Id.* The other sought payment for an obituary Debbie published. *Id.*

David's estate disallowed the claims and began contempt proceedings in family court, claiming multiple violations of the settlement agreement and family court order. (R.pp.187-207). The alleged violations included Debbie misappropriating David's cell phone, stealing David's mail, failing to honor the parties' agreement regarding their 2014 tax refund, violating the agreement's mutual retraining order, interfering with David's financial accounts, and bringing the monetary claims against David's estate. *Id.*

Debbie made a third claim against the estate in March. This sought amendment of David's death certificate to reflect Debbie as David's surviving spouse. (R.pp.133-139).

A few days after filing the death certificate/surviving spouse claim, Debbie filed two petitions from the personal representative's decision disallowing her monetary claims against David's estate. (R.pp.148 & 151).

These three probate court filings—the death certificate/surviving spouse petition and the two monetary petitions—were filed on Debbie's behalf by attorney Dierdre Edmonds.

The estate brought counterclaims and sought sanctions against Debbie and Edmonds. (R.pp.153 & 208). The sanctions argument was two-fold. First, Debbie's claims were barred by a valid court order and settlement that waived claims against David's estate. Second, two of Debbie's filings (her original and amended death certificate/surviving spouse petitions) needlessly claimed Bryan Harwell, David's personal representative, had committed a crime.

The parties filed dispositive motions and the case was removed to circuit court. In May of 2016, the family court held the first day of contempt hearings. (R.p.600).

Shortly after the first day of contempt hearings Debbie filed a fourth petition. (R.pp.277). This pro se "elective share" claim sought one-third of David's estate. *Id.*

That same day, Debbie filed a pro se motion in family court to set the settlement agreement aside. (R.pp.542-543). The motion summarily alleged "fraud, misrepresentation and other misconduct of an adverse party." *Id.*

In June of 2016 the family court conducted the second day of contempt hearings. (R.p.742). In July of 2016 it issued a lengthy order holding Debbie in contempt. (R.pp.13-28). Debbie appealed the contempt order. See C-TRACK Appellate Case No. 2016-002058.

In August of 2016, shortly after the circuit court convened a hearing on the motions to dismiss, Debbie dismissed all of her monetary claims against the estate. (R.pp.355-356).

In October, the parties filed a joint stipulation noting Debbie's "surviving spouse" claim would be dismissed as moot. (R.p.360, ¶3). The Department of Health and Environmental Control had already amended the death certificate for vital records purposes, with Bryan Harwell's consent. *Id.* DHEC was dismissed as a party. (R.p.360, ¶4).

From this point on, the only things left in the case were the counterclaims against Debbie and the request for sanctions against Debbie and Edmonds. (R.pp.360-361, ¶¶6-8).

C. Summary of the Circuit Court's Sanctions Decision

In February of 2017 the circuit court conducted a hearing on the motion for sanctions. (R.pp.865-939).

In April of 2017 the circuit court issued its order imposing sanctions. (R.pp.60-74). The circuit court's findings are in the order's final four pages. (R.pp.70-74).

The circuit court found all Debbie's monetary claims against the estate were "without merit and frivolous," were barred by the settlement agreement, and that Debbie had been "fully aware [] the agreement and family court order did not allow her to make the claims she was making." (R.p.70). The circuit court found Debbie acted willfully, with total disregard for the law, and that her actions were intended to delay the estate and to seek recovery to which she was not entitled. *Id.*

As to Edmonds, the circuit court found the obituary repayment claim was frivolous, but it found her action in filing Debbie's \$3.1 million "prenuptial" claim was justified because Edmonds did not hold herself out as a family court practitioner. (R.p.72). The court found Debbie had indicated she intended to challenge the marital settlement in family court and that Edmonds had been in a time constraint for initiating claims in probate court. *Id.*

The circuit court did not award any sanctions for Debbie's claim to be listed as David's surviving spouse, finding Debbie was justified in bringing that petition. (R.p.70).

Respecting the allegations that Bryan Harwell had committed a felony, the circuit court found these were "false" and "overzealous." (R.pp.70-71). Yet, the court declined sanctions; noting Debbie obtained relief on this claim through the death certificate's amendment reflecting her as David's surviving spouse. (R.pp.70-71).

The court assessed a \$5,000 sanction against Edmonds and a \$40,000 sanction against Debbie. (R.p.73). This was a 10% reduction of the monetary sanctions Bryan sought. The court attributed this reduction to its estimate of fees Bryan could have saved if he had agreed to change David's death certificate at the beginning of the litigation. *Id.* The order also explained Debbie's sanction would be reduced by any money she paid towards the \$25,000 sanction imposed by the family court. (R.p.74).

All parties filed motions for reconsideration.

The court heard the motions to reconsider in July of 2017. (R.pp.941-973).

In October of 2017 the circuit court issued its order declining to significantly modify its previous decision. (R.pp.75-81). The order clarified its prior order by explaining all Debbie's actions on her monetary claims were improper and frivolous. (R.p.77).

STANDARD OF REVIEW

The standard of review is de novo because the decision to impose sanctions sounds in equity. *Father v. S.C. Dep't of Soc. Servs.*, 353 S.C. 254, 260-61, 578 S.E.2d 11, 14-15 (2003). Precedent also says an appellate court applies the abuse of discretion standard to the sanctions if it agrees with the trial court's factual findings. *Id.* at 261, 578 S.E.2d at 14.

ARGUMENTS

The circuit court found this litigation was abusive. Nobody likes dealing with sanctions, but this is not about representing an unpopular client or making a creative argument. This is about litigation the circuit court found to be motivated by a personal dispute and designed to delay settlement of the estate. (R.p.70).

The circuit court properly sanctioned Edmonds because it correctly found there was no conceivable justification for her to file or pursue a claim seeking repayment for the obituary Debbie published without authorization from David's estate. It does not matter that the claim was withdrawn rather than denied on the merits. Multiple authorities confirm sanctions may be awarded regardless of whether there was an adjudication on the merits.

Also, nothing suggests the sanctions against Edmonds are excessive or disproportionate. The circuit court explained it arrived at Edmonds' \$5,000 sanction by estimating a reasonable amount of attorney time. The court also explained that it believed a sanction of this amount would discourage similar actions in the future. Sanctions are designed to deter future litigation abuse, not to compensate the prevailing party. The circuit court correctly cited this principle in its orders. (R.p.69 & pp.76-77).

The circuit court properly sanctioned Debbie because it correctly found that other than her death certificate/surviving spouse claim, Debbie took all her actions with knowledge they were precluded by a court order and with the intent of delaying the estate. This is amply supported by the record. Critically, Debbie's brief does not argue the circuit court erred in finding the \$3.1 million "prenuptial" claim or the pro se "elective share" claim were frivolous. Thus, sanctions against Debbie stand by virtue of these unappealed rulings.

I. The circuit court properly sanctioned Edmonds and correctly found there was no justification for her to file or pursue a claim on Debbie's behalf seeking repayment for an obituary Debbie published without any authorization from David's estate.

Rule 11, SCRCP, explains an attorney's signature on a document certifies that "to the best of his [or her] knowledge, information and belief there is good ground to support [the filing]." The Frivolous Civil Proceedings Sanctions Act contains a similar requirement, explaining a lawyer's signature certifies "a reasonable lawyer" would believe the claim or defense is warranted under existing law, supported by a good faith modification of existing law, and is not frivolous. S.C. Code Ann. § 15-36-10 (A)(3) (Supp. 2017).

These endorsements call for the lawyer to exercise professional judgment. The lawyer's signature certifies *the lawyer's* good faith belief, not *the client's* good faith belief.

The circuit court sanctioned Edmonds because it found there was no justification for her to file or pursue a claim on Debbie's behalf seeking reimbursement for an obituary Debbie elected to publish without getting any permission or authorization from David's estate. (R.p.72). That finding was correct.

a. The record does not reveal a good faith basis for the obituary claim.

The facts are not disputed. Debbie was dissatisfied with not being mentioned in David's official obituary so she decided to write her own version of the obituary and have it published. Debbie asked the estate to repay these costs and the estate declined. Then, Edmonds filed Debbie's claim with the probate court. (R.pp.150-152).

The record does not contain any substantive explanation for why Edmonds believed the obituary claim might have legal merit. Her appellate brief says the claim was "facially

plausible” and that it is “not uncommon” for estates to pay for an obituary, Brief pp.7 & 11, but there is no explanation of a basis in fact or law for a court to order David’s estate to pay for an obituary the estate did not request or authorize.

The inability to offer any basis for the claim is crucial. The party petitioning the probate court to award a claim against an estate has the burden of proving the claim’s validity. *Matter of Howard*, 315 S.C. 356, 363 n.7, 434 S.E.2d 254, 258 n.7 (1993). There is no indication whatsoever of what Edmonds would (or could) have argued to the court to prove this was a valid claim. The Rules of Professional Conduct explain a claim is frivolous “if the lawyer is unable either to make a good faith argument on the merits” or if the lawyer is unable to make a “good faith argument for an extension, modification or reversal of existing laws.” Rule 3.1, Comment 2, Rule 407, SCACR. The record contains no such explanation. “The probate court might have said yes” is not a legal argument.

Much of the discussion below concerned Edmonds’ contention that she had to act by a certain date in order to prevent Debbie’s claims from being barred, regardless of those claims’ potential validity. That argument is undermined in at least three ways.

First, Edmonds explained other claims, but did not (and cannot) justify the obituary claim. A lengthy affidavit recounts her investigation of Debbie’s death certificate/surviving spouse claim and the reasons why Edmonds determined court intervention was needed. (R.pp.294-298). But there was never any attempt to explain how the probate court could have justifiably held the estate liable for a debt Debbie unilaterally incurred.

Second, the record shows the obituary claim was dismissed shortly after new counsel was substituted in Edmonds’ place. Debbie retained new counsel shortly before a hearing

late in July of 2016. (R.p.65). *All* of Debbie's monetary claims against the estate were withdrawn by the end of the next month. (R.p.355). The fact that a different lawyer withdrew the obituary claim after being in the case for slightly more than a month does not prove there was no conceivable basis for the claim, but it does say something. The obituary claim's quick withdrawal is some indication that minimal scrutiny would have revealed the claim's lack of a reasonable basis.

Third, consider that the record contains several statements undermining the argument that deadlines drove Edmonds' decision. Edmonds' "rebuttal affidavit" specifically indicates she "reasonably believed that there was a good faith basis" for "preserving" Debbie's creditor's claims and that the claims "were filed in good faith based upon a reasonable belief." (R.p.444, ¶8). Her supplemental memorandum to circuit court similarly argued she represented Debbie "for good cause" and that she "pursued claims . . . with the good faith belief that there are grounds to support those claims." (R.p.522). Those statements indicate Edmonds believed the claims were justified in substance. But still, no substantive explanation of a good faith basis has ever been given.

There is no time-based exception or "quick deadline" exception to Rule 11, the Sanctions Act, or the Rules of Professional Conduct. A lawyer's decision to believe the client's version of contested facts is generally protected, but the circuit court did not sanction Edmonds for believing Debbie's version of any facts. The circuit court sanctioned Edmonds because there was and is no conceivable justification for her to file or pursue a claim on Debbie's behalf seeking repayment for an obituary Debbie published on her own, without authorization from David's estate. That finding is correct and should be affirmed.

b. Sanctions may be awarded regardless of whether the obituary claim was withdrawn as opposed to adjudicated on the merits.

Rule 11, SCRCP, allows a court to sanction a lawyer for signing a pleading that violates the rule. In similar fashion, the Sanctions Act explains an attorney or litigant can be sanctioned for filing a frivolous pleading or making frivolous arguments. See § 15-36-10 (A)(4). Nothing requires a judicial determination of the claim's merits (as opposed to a claim's withdrawal) before a court can impose sanctions for frivolous filings or arguments.

Precedent confirms sanctions may be imposed on frivolous claims that are withdrawn instead of denied on the merits. This Court dealt with that exact scenario in *Kilcawley v. Kilcawley*, 312 S.C. 425, 440 S.E.2d 892 (Ct. App. 1994). The Supreme Court did the same in *Ex parte Gregory*, 378 S.C. 430, 663 S.E.2d 46 (2008). This case is no different.

At the circuit court, Edmonds argued "sanctions cannot be awarded" because the merits were not resolved by trial or summary judgment. (R.p.525). This reading of the Sanctions Act is incorrect. The Act requires a court to determine whether a claim or defense was frivolous once a claim has been adjudicated on the merits. See § 15-36-10 (C)(1). That is not the same as requiring a case be litigated on the merits for the court to sanction a frivolous claim or argument. Sanctions are not limited to frivolous claims that make it to summary judgment or to trial. Sanctions may be imposed for any frivolous act.

c. Sanctions do not compensate the prevailing party for its losses but instead are aimed at deterring future abusive litigation.

The purpose of sanctions is to deter litigation abuse, not to compensate the prevailing party. This Court has recognized this principle. *Pee Dee Health Care v. Estate of*

Thompson, 418 S.C. 557, 567, 795 S.E.2d 40, 46 (Ct. App. 2016). Supreme Court precedent contains similar recognition. *Runyon v. Wright*, 322 S.C. 15, 19, 471 S.E.2d 160, 162 (1996). Both of these decisions discuss the purpose of sanctions under Rule 11, SCRCP, but the Sanctions Act's language is nearly identical. See § 15-36-10 (G).

The circuit court acknowledged this principle in its original order, see (R.p.69), and in its order deciding the parties' post-trial motions. (R.pp.76-77). In the second order, the circuit court explained how it arrived at its \$5,000 sanction, describing that \$5,000 amounted to 20 hours of legal work billed at \$250 per hour, that these amounts of time and level of compensation were reasonable with respect to the obituary claim, and that this sanction would discourage future improper conduct. (R.p.79).

Edmonds' brief cites *Goodyear Tire & Rubber Co. v. Haeger*, a U.S. Supreme Court case dealing with the court's "inherent authority to sanction a litigant for bad-faith conduct by ordering it to pay the other side's legal fees." 137 S. Ct. 1178, 1183-84 (2017). The opinion explains such a sanction "must be compensatory" and "calibrated to the damages caused by the bad-faith acts on which it is based." *Id.* at 1186 (internal brackets and quotation marks omitted).

State sanctions under Rule 11 and the Sanctions Act are not compensatory and are not designed to be compensatory. The ultimate purpose of sanctioning a frivolous filing, according to precedent, is deterrence. The circuit court deemed \$5,000 to be a reasonable amount for defending the obituary claim and to be a sufficient deterrent. Nothing indicates that decision was against the greater weight of the evidence or an abuse of the circuit court's discretion.

II. The circuit court properly sanctioned Debbie and correctly found she brought all but one of her claims with total disregard for the law.

The circuit court found all of Debbie's monetary claims against the estate were "without merit and frivolous," were barred by the settlement agreement, and that Debbie had been "fully aware [] the agreement and family court order did not allow her to make the claims she was making." (R.p.70). The circuit court found Debbie acted willfully, with total disregard for the law, and that her actions were intended to delay the estate and to seek recovery to which she was not entitled. *Id.* The record fully supports these findings.

a. The record contains ample evidence of bad faith and acting with an improper purpose.

Consider the following inconsistencies over the course of this litigation:

- Debbie told the circuit court the death certificate was corrected over Bryan's objection, (R.p.505, ¶25), even though the joint stipulation signed by Debbie's lawyer notes Bryan's consent. (R.p.360, ¶3).
- Debbie told the circuit court she was "on the brink of bankruptcy" as the result of her settlement agreement, see (R.p.507, ¶37), even though the settlement agreement gave her substantial assets including a \$300,00 home, \$75,000 in cash, and the rights to David's retirement from his service in the General Assembly. (R.pp.175-176, ¶¶3-8).
- Debbie told the family court she did not understand the settlement agreement and that she was not allowed to attend the hearing to approve the agreement, see (R.p.19, ¶12) and (R.p.502, ¶10), yet Debbie told the circuit court she was communicating with David throughout the family court litigation and that she knowingly and voluntarily participated with David in the litigation for the alleged purpose of placating Bryan. (R.pp.500-501, ¶¶3-8).
- Debbie told the family court she did not understand the settlement or the approval order, yet the court noted Debbie admitting receiving everything distributed to her in the agreement and that a copy of the order was attached to Debbie's checks. (R.p.19, ¶¶12-13).

Next, consider these inflammatory statements from Debbie's appellate brief:

- These cases were instigated by the actions of Federal District Judge Robert Bryan Harwell ("Bryan Harwell") who used his extensive network of political cronies to take malicious self-serving actions against his step-mother Deborah Harwell[.] Brief p.2.
- Bryan came and took Justice Harwell from his and Deborah's home in Florence against his will[.] *Id.*
- Justice Harwell expressed fear for his life from Bryan on several occasions and again warned Deborah that Bryan would have no problem putting her in jail on trumped up charges or if necessary to shut her up by having her killed. Brief pp.2-3.
- [T]here seems some hidden reason for his [Bryan's] actions other than just attacking Mrs. Harwell for the fun of it. Brief p.3.
- At the end of the second day of trial, Mrs. Harwell began to see officers entering the room and attorney Kevin Barth and Judge Bryan Harwell laughing loudly at their table. Brief p.10.
- The family court judge was angered that Mrs. Harwell did not properly bow to the all-powerful and mighty Bryan Harwell, even ignoring the defects in the original order to allow these proceedings to go forward. Brief pp.17-18.
- The only explanation apparently is that the shadow of her stepson, Federal District Judge, Bryan Harwell, had permeated the hearing and influenced it to such an extent that the fate of Mrs. Harwell was predetermined. Brief p.25.
- Bryan Harwell, the personal representative of the Estate of the late Justice Harwell, mixed up a big batch of Kool-Aid. The trial judges drank it dry, never noticing the bitterness which permeated it and ignored the lack of jurisdiction to grant the relief requested ***. The late Justice Harwell deserved better, much better. Brief p.27.

Note the many targets of these inflammatory and baseless accusations. Nobody is immune. Debbie has attacked Bryan, David, and Debbie's own past attorneys. She has attacked both judges who were involved; the family court judge and the circuit court judge.

Despite one order of contempt and a separate order of sanctions, the abuse shows no signs of stopping as evidenced by these statements from Debbie's brief.

Importantly, Debbie's story was rejected as not being credible by the circuit court and by the family court. (R.pp.19-20, ¶¶12 & 15 & p.70). Her claimed lack of understanding was critically undermined by the fact that she had no problem comprehending the parts of the settlement agreement that called for her to receive assets. Below, the estate ardently maintained this litigation was a "shakedown"; an attempt to extract a quick payment from the estate. The circuit court agreed with that characterization, concluding Debbie acted with the purpose of delaying the estate and seeking a recovery to which she was not entitled. (R.p.70). That finding is correct and should be affirmed.

b. Much of Debbie's brief does not relate to this litigation and Debbie has not challenged significant parts of the ruling below.

Much of Debbie's brief is a nearly verbatim copy of the brief she filed in the appeal of the family court's contempt order. See C-TRACK Appellate Case No. 2016-002058.

The family court specifically noted it did not believe it could sanction Debbie for bringing creditor's claims against David's estate, explaining those claims were pending in another forum—they were pending in probate court. (R.pp.25-26). Arguments about the family court's subject matter jurisdiction, the family court's contempt finding, the family court's assessment of attorney's fees, and the family court denying a continuance of the contempt hearing, see (Brief, issues I through IV), have no relevance to the question whether the circuit court properly concluded Debbie's obituary repayment claim, her \$3.1 million "prenuptial agreement" claim, and her claim for an elective share were frivolous.

Debbie's final issue in her brief is that the circuit court refused to admit the testimony of Burnele Powell, an expert in legal ethics. (Brief p.26). But the circuit court *did admit* this expert's affidavit and acknowledged in the transcript having read the affidavit. (R.p.901, lines 11-23). The record does not reveal anyone asking the circuit court to hear live testimony at the sanctions hearing.

Debbie also argues, under the same heading, that the probate court could have approved or denied her reimbursement claim for the unauthorized obituary. Again, "the probate court might have said yes" is not a legal argument.

More importantly, Debbie's brief does not contain any argument that the circuit court erred in finding the \$3.1 million "prenuptial agreement" claim or the claim for an elective share were frivolous. Unappealed findings become the law of the case. *ML-Lee Acquisition Fund v. Deloitte & Touche*, 327 S.C. 238, 241, 489 S.E.2d 470, 472 (1997). Thus, sanctions against Debbie must stand by virtue of the circuit court's unappealed rulings that the \$3.1 million "prenuptial agreement" claim and the claim for an elective share were frivolous.

The brief supporting Bryan Harwell's cross-appeal asked this Court to award additional sanctions that include the cost of defending this appeal. See *In re Gregory*, 378 S.C. at 440, 663 S.E.2d at 52 (specifically holding that the costs of seeking sanctions are recoverable). Bryan reiterates that request here. Neither the estate nor the personal representative should have to bear the burden of responding to another brief with baseless and incendiary arguments having no basis in law or fact.

CONCLUSION

This Court should affirm the circuit court's decision in part, reverse in part as described in Bryan Harwell's cross-appeal, and order additional sanctions as outlined in the cross-appeal.

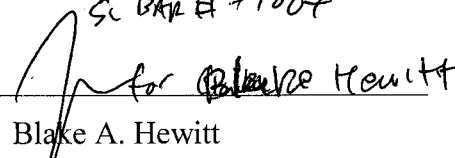
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Deborah B. Harwell, ... Respondent/Appellant,

v.

Robert Bryan Harwell, individually and as the
Personal Representative of the Estate of
David W. Harwell; and the South Carolina
Department of Health and Environmental Control,
Division of Vital Records, Defendants,

Of whom Robert Bryan Harwell, individually
and as the Personal Representative of the
Estate of David W. Harwell is the Respondent/Appellant,

And the South Carolina Department of
Health and Environmental Control,
Division of Vital Records is the Respondent,

v.

Law Office of Deidre W. Edmunds, P.A.
and Deidre W. Edmunds, Individually, .. Appellants/Respondents.

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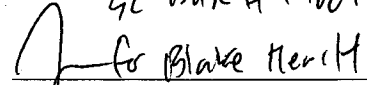
CERTIFICATE OF COMPLIANCE

Pursuant to Rule 211(a), SCACR, I certify that the *Brief of Appellant, Brief of Respondent, and Reply Brief* comply with the provisions of Rule 211(b), SCACR, and with the August 13, 2007, Supreme Court Order regarding personal data identifiers.

/Signature page attached

October 31, 2018

Respectfully submitted,

GC BAR # 77887
for Blake Hewitt

Blake A. Hewitt # 73674

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