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**RECEIVED**  
**Apr 15 2021**  
**SC Court of Appeals**

April 15, 2021

**VIA EMAIL ONLY**

Ms. V. Claire Allen  
Chief Deputy Clerk  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

**VIA EMAIL ONLY**

Melissa E. Simondi, Esquire  
519 Savannah Highway  
Charleston, SC 29407

**VIA EMAIL ONLY**

Rhett D. Klok, Esquire  
1002 Anna Knapp Blvd, Suite 103  
Mount Pleasant, SC 29464

**VIA EMAIL ONLY**

Gregory S. Forman, Esquire  
171 Church Street, Suite 160  
Charleston, SC 29401-3137

RE: James Michael McMaster v. Jennifer Renee McMaster  
Appellate Case No. 2020-000278

Dear Ms. Allen:

Please allow this to be in response to your letter of April 14, 2021 wherein you requested clarification as to whether the documents labeled by Respondent as "Chronological Index of Videos" as attached to his return as Exhibit I are the same that Respondent, through his legal counsel, attempted to deliver to Ms. Melissa E. Simondi or to The Honorable Daniel E. Martin, Jr. Unfortunately, neither Ms. Simondi nor I can answer that question. As soon as Respondent's Family Court motion was hand-delivered to Ms. Simondi's office, it was placed in a sealed envelope where it has

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remained. Neither Ms. Simondi nor I have reviewed the contents of that sealed envelope. It is further my understanding that Judge Martin, likewise, has not reviewed the contents of any audio or video recordings. I believe that Respondent's attorney, Mr. Rhett Klok, may be the only individual who can answer your inquiry or perhaps Mr. Forman can as well.

Further, it appears that there will be extensive other recordings as it appears that the voice activated recording device which was placed in the residence occupied by Petitioner and the parties' minor child was in operation indiscriminately for many months. It will be necessary for Petitioner or her counsel to review all of those recordings to truly ascertain what recordings were unlawfully intercepted, disclosed, or otherwise utilized. In fact, we would ask that the Court consider ruling on that issue; that being can Petitioner and/or her counsel now review those transcripts and recordings themselves?

Petitioner would request that the Court take note of the first paragraph of Respondent's Return wherein he states:

"The Respondent is not intending to use any intercepted communication that does not involve the parties' minor child. To the extent Petitioner seeks an order that would suppress any intercepted recording that does not involve the minor child, Respondent would consent to this order."

Respondent has thus admitted that there are other recordings which have been unlawfully intercepted. It is therefore certain that Exhibit I, which Respondent has attached to his Return, is only a partial listing of recorded conversations. Whether Respondent's transcript of conversation to Petitioner's counsel or to the Court goes beyond that which is attached as Exhibit I to his Return, Petitioner cannot respond as she simply does not have that knowledge.

Please let me know if I need to put this in a more formal form for the Court.

Please accept my highest regards.

I am, very truly yours,

  
Richard G. Whiting

/klh

