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S.C. SUPREME COURT

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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December 08, 2017

Mr. Gregg E. Meyers, Esquire
Pierce Hems Sloan & Wilson LLC
321 East Bay Street
Charleston SC 29401

Re: John Doe v. The Bishop of Charleston(2)
Appellate Case No. 2017-001996

Dear Counsel:

Our records indicate that the transcript in the above matter should have been delivered. As of today's date, we have not received any information indicating that the court reporter has been granted an extension. Further, you have not notified us that you have failed to receive the transcript, nor have we received your initial brief.

If you have not yet received the transcript, Rule 207 of the South Carolina Appellate Court Rules requires you to contact the Office of Court Administration. The address for Court Administration is as follows:

South Carolina Office of Court Administration
1220 Senate Street, Suite 201
Columbia, SC 29201

Be sure to copy the Court and opposing counsel with all correspondence concerning the transcript.

EXHIBIT

A

Please advise the Court of the status of the transcript within ten (10) days of the date of this letter, or your appeal may be dismissed.

Very truly yours,

V. Claine Allen, Deputy

CLERK

cc: Richard S. Dukes, Jr., Esquire
Brian James Kern, Esquire
James L. Bruner, Esquire
Benjamin C. Bruner, Esquire
Susan Taylor Wall, Esquire
Henry Wilkins Frampton, IV, Esquire

The South Carolina Court of Appeals

John Doe 2 and Jane Doe 4, John Doe 10, Jane Doe 11,
John Doe 193, Father Doe 194, John Doe 194, John Doe
245 and Father Doe 245, and John Doe 297, Appellants,

v.

The Bishop of Charleston, A Corporation Sole; Robert
Gugliemone, The Bishop of Charleston, in his official
Capacity; Rev. Monsignor Martin Laughlin, former
Administrator of the Diocese of Charleston, in his official
Capacity; Robert J. Baker, former Bishop of Charleston,
in his official capacity; Lawrence E. Richter, Jr.; David
K. Haller; and Richter and Haller, LLC; Respondents.

Appellate Case No. 2017-001996

The Honorable J. C. Nicholson, Jr.
Charleston County
Trial Court Case No. 2010CP1005520

ORDER

Appellants have failed to serve and file the appellants' initial brief and designation of matter as required by Rules 208 and 209 of the South Carolina Appellate Court Rules, and by the Court's letter dated December 8, 2017. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY


CLERK

EXHIBIT

B

Columbia, South Carolina

cc:

Gregg E. Meyers, Esquire

Richard S. Dukes, Jr., Esquire

Brian James Kern, Esquire

James L. Bruner, Esquire

Benjamin C. Bruner, Esquire

Susan Taylor Wall, Esquire

Henry Wilkins Frampton, IV, Esquire

FILED

January 12, 2018

CARL E. PIERCE, II
LOUIS P. HERNS
ALLAN P. SLOAN, III *
JOSEPH C. WILSON, IV †
JAMES G. KENNEDY
WILLIAM P. EARLY ●
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GREGG MEYERS ▲
* MEMBER SC & FL BAR
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†† MEMBER SC & VA BAR

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January 22, 2018

S.C. Office of Court Administration
1220 Senate Street, Suite 201
Columbia SC 29401

RECEIVED
JAN 24 2018
SC Court of Appeals

Re: Transcript in Consolidated appeals 2010-CP-10-5520,

John Doe 2 and Jane Doe 4, John Doe 10, Jane Doe 11,
John Doe 193, Father Doe 194, John Doe 194, John Doe 245
and Father Doe 245, and John Doe 297, Appellants

v.

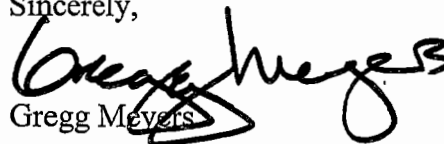
The Bishop of Charleston, a Corporation Sole, Robert
Gugliemone, The Bishop Of Charleston, in his official capacity;
Rev. Monsignor Martin Laughlin, former Administrator of the Diocese of
Charleston, in his official capacity; Robert J. Baker, former Bishop of Charleston,
in his official capacity; Lawrence E. Richter, Jr., David K. Haller, and
Richter and Haller, LLC., Respondents

Dear Sirs:

On September 25, 2017 we ordered the transcript of the July 20, 2017 hearing which took place in these consolidated cases. A copy of the letter ordering the transcript is attached.

To date we have not received the transcript. Pursuant to SCACR 207, we are providing notice about that, as required by the Court Rule.

Sincerely,


Gregg Meyers

c: Clerk of the SC Court of Appeals
Court reporter, Ms. Eubank

EXHIBIT

C

PIERCE, HERNS, SLOAN & WILSON, LLC

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* MEMBER SC & FL BAR
♦ CERTIFIED SC CIRCUIT COURT MEDIATOR
† MEMBER SC, FL & GA BAR
‡ SPECIAL COUNSEL
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■ MEMBER SC & VA BAR

Email: greggmever@phswlaw.com
Direct Phone: (843)725-7750

September 25, 2017

Dixie C. Eubank, RPR
Circuit Court Reporter
PO Box 2194
Murrells Inlet, SC 29576

Re: Consolidated cases

2010-CP-10-5520,
2012 CP-10-5559,
2013-CP-10-4175,
2015-CP-10-5486, and

2010-CP-10-7233,
2013-CP-10-3733,
2103-CP-10-4176,
2016-CP-10-1632,

John Doe 2 and Jane Doe 4,
Jane Doe 11,
Father Doe 194,
John Doe 245 and Father Doe 245,

John Doe 10,
John Doe 193,
John Doe 194,
and John Doe 297

v.

The Bishop of Charleston, a Corporation Sole,
Robert Gugliemone, The Bishop Of Charleston, in his official capacity;
Rev. Monsignor Martin Laughlin, former Administrator of the Diocese of
Charleston, in his official capacity;
Robert J. Baker, former Bishop of Charleston, in his official capacity;
Lawrence E. Richter, Jr.,
David K. Haller, and
Richter and Haller, LLC.

Dear Ms. Eubank:

The South Carolina Supreme Court website has you listed as the reporter for the proceedings before Judge Nicholson on July 20, 2017 in these consolidated cases, and that listing fits with my recollection. We argued a series of motions.

I may need a transcript of the proceedings from that day, so this is to request the transcript

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SC Court of Appeals

of those proceedings.

Of course I will be responsible for the fees associated with that transcript. Please consider this my order for the transcript.

Thank you very much.

Sincerely,

A handwritten signature in black ink that reads "Gregg Meyers". The signature is written in a cursive style with a large, stylized "G" and "M".

Gregg Meyers



State of South Carolina.
The Circuit Court of the Fifteenth Judicial Circuit

Kay H. Richardson
Court Reporter

Post Office Box 282
Aynor, South Carolina 29511
E-MAIL: krichardson@sccourts.org

January 26, 2018

Desiree R. Allen
South Carolina Court Administration
1220 Senate Street - Suite 200
Columbia, SC 29201

Re: John Doe 2, et al. v. The Bishop of Charleston, et al.
Case Number - 2010-CP-10-5520
Hearing Date - July 20, 2017

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SC Court of Appeals

Dear Ms. Allen:

In response to Mr. Meyer's letter dated January 22, 2018, the transcript in this matter was requested by letter dated September 25, 2017. The transcript was delivered to Mr. Meyers on November 28, 2017 by email with email confirmation of receipt on the same date.

Should you have any further questions, please do not hesitate to contact me.

Sincerely,

Kay H. Richardson
Court Reporter

KHR

CC: Gregg Meyers, Esquire
✓ Clerk of SC Court of Appeals

EXHIBIT

D

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Email: greggmeyers@phswlaw.com
Direct phone: (843)725-7756

February 8, 2018

Via Federal Express:

S.C. Office of Court Administration
1220 Senate Street, Suite 201
Columbia SC 29401

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FEB 09 2018
SC Court of Appeals

Re: Transcript in Consolidated appeals 2010-CP-10-5520,

John Doe 2 and Jane Doe 4, John Doe 10, Jane Doe 11,
John Doe 193, Father Doe 194, John Doe 194, John Doe 245
and Father Doe 245, and John Doe 297, Appellants

v.

The Bishop of Charleston, a Corporation Sole, Robert
Gugliemone, The Bishop Of Charleston, in his official capacity;
Rev. Monsignor Martin Laughlin, former Administrator of the Diocese of
Charleston, in his official capacity; Robert J. Baker, former Bishop of Charleston,
in his official capacity; Lawrence E. Richter, Jr., David K. Haller, and
Richter and Haller, LLC., Respondents

To whom it may concern:

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To date we have not received the transcript. Pursuant to SCACR 207, we are providing notice about that, as required by the Court Rule.

With kind regards, I am,

Sincerely,

Gregg Meyers / mkg
Gregg Meyers

cc: Clerk of the SC Court of Appeals
Court Reporter, Ms. Eubank



Court Reporter, Kay Richardson
Richard S. Dukes, Jr., Esquire
Brian James Kern, Esquire
James L. Bruner, Esquire
Benjamin C. Bruner, Esquire
Susan Taylor Wall, Esquire
Henry Wilkins Frampton, IV, Esquire

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CHRISTINA L. PERRIN
BENJAMIN C. SMOOT, II ✠
J. MORGAN FORRESTER
T.A.C. HARGROVE II

✠ MEMBER SC & VA BAR

September 25, 2017

Dixie C. Eubank, RPR
Circuit Court Reporter
PO Box 2194
Murrells Inlet, SC 29576

RECEIVED
FEB 09 2018
SC Court of Appeals

Re: Consolidated cases
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2012 CP-10-5559, 2013-CP-10-3733,
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John Doe 2 and Jane Doe 4, John Doe 10,
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Father Doe 194, John Doe 194,
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Of course I will be responsible for the fees associated with that transcript. Please consider this my order for the transcript.

Thank you very much.

Sincerely,

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Gregg Meyers



State of South Carolina
The Circuit Court of the Fifteenth Judicial Circuit

Kay H. Richardson
Court Reporter

Post Office Box 282
Aynor, South Carolina 29511
E-MAIL: krichardson@sccourts.org

February 13, 2018

Gregg Meyers, Esquire
PIERCE, HERNS, SLOAN & WILSON, LLC
Post Office Box 22437
Charleston, SC 29413

RECEIVED
FEB 15 2018
SC Court of Appeals

Re: John Doe, et al. v The Bishop of Charleston, et al.
Case Number: 2010-CP-10-05520
Hearing Date: July 20, 2017

Dear Mr. Meyers:

I am writing in response to your letters dated January 22, 2018 and February 8, 2018 to the Office of Court Administration, with copies to the Court of Appeals and Court Reporter, Ms. Eubank. As you have indicated, the transcript was requested on September 25, 2017. I prepared this transcript for Ms. Eubank. My records reflect that the transcript, signed certificate, and invoice were emailed to you on **November 28, 2017**. I asked at that time if you needed a hard copy forwarded by regular mail. On that same date in response you said, "Thank you very much. The pdf version is fine".

I have not received payment for the transcript I sent to you on November 28, 2017. I am therefore enclosing a hard copy of the transcript and invoice and will place in U.S. Mail to your office today.

I am copying the S.C. Court of Appeals and the Office of Court Administration so that they will be aware of the sequence of events involving this transcript. I look forward to hearing from you if I may be of further assistance.

Sincerely,

Kay H. Richardson
Circuit Court Reporter

CC: The Honorable Jenny A. Kitchings, Clerk, S.C. Court of Appeals ✓
Desiree Allen, Court Reporter Manager, S.C. Court Administration

EXHIBIT
F

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February 19, 2018

S.C. Office of Court Administration
1220 Senate Street, Suite 201
Columbia SC 29401

Re: Transcript in Consolidated appeals 2010-CP-10-5520,

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Charleston, in his official capacity; Robert J. Baker, former Bishop of Charleston,
in his official capacity; Lawrence E. Richter, Jr., David K. Haller, and
Richter and Haller, LLC., Respondents

Dear Sirs:

I have returned from an absence caused by emergency surgery (on February 2) for a detached retina in one of my eyes and as of February 15, I have the transcript for the hearing in this proceeding.

There has been some confusion about this transcript, all of which seems to have been created by me. Ms. Richardson, the reporter, intended to send me the transcript on November 28, by email of that date. When she sent me that email I was out of state, assisting my wife with, among other things, the medical follow-up for the significant health issues which have

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SC Court of Appeals

EXHIBIT

G

accompanied her second surgery for cancer. While out of state, I accessed Ms. Richardson's email on my phone, and within two hours of her sending it to me I thanked her for doing so.

When I sent that to Ms. Richardson I had not tried to actually access the transcript so as to make use of the transcript she had tried to send me. That was not something that I effectively could do by phone. When I later tried to actually open the attachments Ms. Richardson had sent me, one of which attachments was apparently the hearing transcript I had requested, I was not able to get at the attachments. I was still out of my office when I attempted that, and so was not surprised that I was not able to download the attachments.

I was not concerned about that problem because I expected that when I returned to the office Ms. Richardson would have also forwarded to me the transcript by mail, and that the paper version would be waiting when I returned from my out of state trip to assist my wife with her medical needs.

What I had forgotten in the face of my wife's medical issues was that when I had acknowledged Ms. Richardson's email using my phone I had told Ms. Richardson that a pdf version of the transcript would be sufficient. Meaning, that by the time I was unable to access the transcript, I had forgotten that I had myself dissuaded Ms. Richardson from sending me the very reminder that I presumed I would get when I returned to the office.

When I returned to my office, I then confused Ms. Richardson's effort with my exchanges with two other court reporters who produced transcripts in other matters now also on appeal.

The end result of this is that it is true both that Ms. Richardson sent me in November what should have gotten me the transcript and that I did not receive it until it arrived in paper form on February 15.

I have plainly underestimated the impact on me of both my wife's cancer surgeries and my own unexpected health issues. Just as plainly, Ms. Richardson cannot be faulted for either of those circumstances. My own emergency eye surgery that took me out of the office occurred just after the court had written me on January 25.

Over the years I have prosecuted a number of appeals to the South Carolina appellate courts. I would hope the court would grant the latitude that my omission as inadvertent, and created by family concerns of unusual gravity.

Now that the transcript is in hand, we would ask that the court permit these consolidated appeals to be reinstated so their merits can be reached for the various clients affected.

With kind regards,

Sincerely,

A handwritten signature in black ink that reads "Gregg Meyers". The signature is written in a cursive style with a large, looping initial "G".

Gregg Meyers

cc: Clerk of the SC Court of Appeals
Court reporter, Ms. Richardson
Counsel of record