

# **EXHIBIT D**

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

IN THE COURT OF COMMON PLEAS

Branch Banking and Trust Company, )  
Plaintiff, )

C.A. No.: 2012-CP-40-0249

vs. )

**DEFENDANTS' RESPONSE TO  
REQUEST FOR PRODUCTION**

Graphic Express, LLC; Lanny R. Gunter, II; )  
and Harry B. Benenhaley, )  
Defendants. )

1. **Copies of any and all statements given by the plaintiff and/or defendant which are in the possession of the Defendants or Defendants' attorney, whether written or recorded or on a tape recorder or otherwise.**  
None.
2. **Copies of any and all statements given by other witnesses whose testimony is expected to be presented, either live or by deposition at trial, to the incidents and matters complained of herein which are in the possession of the Defendants or Defendants' attorney, whether written or recorded or on a tape recorder or otherwise.**  
None.
3. **Copies of any and all written reports by consultants or experts of the Defendants or Defendants' attorney or other consultants and/or experts relating to the Defendants' claims, and/or any other expert witnesses retained for use at trial or identified as witnesses at trial in Defendants' responses to any Interrogatories.**  
None.
4. **Copies of any and all statements, memoranda, reports, letters, emails, loan documents, payment stubs, checks, other prepared documents or other materials which in any other way might relate to the Defendants' claim or defense, herein which are within the possession of the Defendants or Defendants' attorney, whether written or recorded or on a tape recorder or otherwise.**  
None.
5. **To permit the Plaintiff to inspect, to photograph and otherwise copy any and all documents, charts, or accountings which the Defendants or Defendants' attorney**

may have which relate to the matters alleged herein, to include negatives of such photographs.

As discovery is ongoing, Defendants have no specific documents, charts or accountings at this time. Defendants reserve the right to supplement this response as discovery progresses in this matter.

6. **Any documents (as defined in SCRCP 34(a)), and tangible things of whatever nature and description which you intend to introduce into evidence or to use as impeachment or evidence at trial of this case.**

Defendants object to this request on the grounds of work product. Subject to this objection, Defendants have not made any determination of what they intend to introduce into evidence at trial. Defendants reserve the right to supplement this response as discovery progresses in this matter.

7. **Any documents identified or listed by Defendants in response to Plaintiff's Interrogatories.**

None.

**COUNSEL FOR THE DEFENDANTS RESERVES THE RIGHT TO SUPPLEMENT THESE RESPONSES UPON FURTHER DISCOVERY.**

MOORE, TAYLOR & THOMAS, P.A.

BY: 

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(803) 796-9160

ATTORNEYS FOR DEFENDANTS

West Columbia, South Carolina  
August 1, 2012

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )

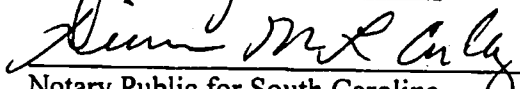
**AFFIDAVIT OF SERVICE BY MAIL**

PERSONALLY appeared before me Tammy E. Black who, on oath, says she is an assistant to S. Jahue Moore, the attorney for the Defendants in this action; and that she has this day, pursuant to his instructions, effected service of the **DEFENDANTS' RESPONSE TO REQUEST FOR PRODUCTION** upon the attorney for the Plaintiff, by placing a copy of said **DEFENDANTS' RESPONSE TO REQUEST FOR PRODUCTION** in an envelope in the United States Mail, with sufficient postage affixed thereto, addressed as follows:

R. Timothy Whisler, Esquire  
CLAWSON & STAUBES, LLC  
126 Seven Farms Drive, Suite 200  
Charleston, SC 29492

  
\_\_\_\_\_  
Tammy E. Black

SWORN to before me this 1st  
day of August, 2012.

 (SEAL)  
Notary Public for South Carolina  
My Commission Expires: 3-31-2018