

RECEIVED

Nov 03 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM BEAUFORT COUNTY  
COURT OF COMMON PLEAS  
BENTLEY PRICE, CIRCUIT COURT JUDGE

Appellate Case No. 2021-000837

*In re:* IN THE MATTER OF: Estate of Paul Brandon Barringer II

Hampton B. Luzak, .....Appellant

v.

Merrill B. Light, Merrill U. Barringer as Personal Representative of the Estate of Paul Brandon Barringer II, J. Randolph Light, Jr., Merrill B. Light as putative trustee of the Paul B. Barringer II Revocable Trust dated December 4, 1998, and Merrill B. Light as Trustee of the Merrill Barringer Light Revocable Trust, ..... Respondents

--and--

Coastal Forest Resources Company ("CFRC") .....Intervenor/Respondent.

--and--

Hampton B. Luzak, .....Appellant,

v.

Merrill U. Barringer, .....Respondent.

**MOTION FOR PERMISSION TO EXCEED PAGE LIMITS  
PURSUANT TO RULE 208(b)(5) SCACR**

Appellant Hampton B. Luzak (hereafter "Ms. Luzak") seeks permission of this Court for an order allowing her Initial Brief to exceed fifty (50) pages for an estimated total of 75 pages.

This appeal arises from four (4) different lawsuits filed<sup>1</sup> from 2016 to 2019, which were designated complex, consolidated several times, and then certain causes of action were bifurcated from the consolidated actions and ordered to be tried first.<sup>2</sup> The cases were designated complex in 2017 when there were only two (2) lawsuits, and again in 2021 in light of the 2019 additional complaints.

In addition, a non-party, Coastal Forest Resources Company (hereafter “CFRC”), was permitted to intervene in Case No. 2016-CP-07-1919, and the intervenor was granted relief by the Court striking one of Mrs. Luzak’s causes of action that was pending against multiple parties, as well as striking numerous elements of damages Ms. Luzak was seeking against existing parties (not against “CFRC”). CRFC then immediately stepped aside and is no longer a party to the case at the trial court. This appeal includes an argument that CRFC was improperly granted intervention and the relief it was granted was error.

Because this appeal includes appeals from final orders in accordance with S.C. Code Ann. §14-3-330(1), Mrs. Luzak has also appealed from an order that was previously determined by this Court not to be immediately appealable. Appellate Case No. 2021-000159. That appeal was dismissed by this Court’s order August 19 2021, and was included in this appeal as a companion

---

<sup>1</sup> When Case No. 2016-CP-07-1919 was designated complex by order dated July 191, 2017, another then-pending action, Case No. 2016-CP-07-1961 was consolidated with 2016-CP-07-1919 and all subsequent pleadings in those two cases were identified by Case No. 2016-CP-07-1919. Two later actions related to the 2017 actions: Case No. 2019-CP-07-01253 and 2019-CP-07-01294 were consolidated by order filed December 3, 2019. Pleadings and orders issued after that date, for the most part, bore all three (3) case numbers and all pending proceedings were *de facto* consolidated. In 2021, the Chief Administrative Judge again designated the consolidated cases as complex.

<sup>2</sup> Trial did not proceed because of an order granting summary judgment dated July 6, 2021 against Ms. Luzak on the two causes of action that had been bifurcated and that were to be tried beginning on August 30, 2021. That order granting summary judgment is also being appealed separately. That particular issue is also complex because summary judgment had previously been denied on the same motion several years earlier and no substantive additional material was presented when the matter was heard the second time, by a different judge.

to the final orders on appeal. The orders from that appeal, therefore, are also included in this appeal since Appellate Case No. 2021-000159 was not permitted to proceed.<sup>3</sup>

The Notice of Appeal (with attachments) includes appeals of the two (2) orders issued on June 7, 2021, one order issued on July 6, 2021, and the December 30, 2020 order which was the subject of Appellate Case No. 2021-000159; there are four (4) substantive orders on appeal. Motions for Reconsideration were also filed and denied, thereby increasing the total number of orders on appeal in this proceeding to eight.

Counsel for Ms. Luzak is making every effort to minimize the length of her brief, but she is concerned that she cannot do justice to her arguments on appeal of four (4) substantive orders from four (4) different actions (reduced to three (3) by one of the consolidation orders), involving relief granted to three adverse parties and an intervenor, in a case designated as complex. For that reason, Ms. Luzak requests permission of this Court for her initial brief to exceed fifty (50) pages for a total of 75 pages.

Wherefore Ms. Luzak respectfully moves for permission to exceed the length of her initial brief up to 75 pages. She will endeavor to make her brief as concise as possible.

Respectfully submitted,

s/ Desa Ballard  
Desa Ballard (S.C. Bar No. 498)  
BALLARD & WATSON  
226 State Street  
West Columbia, South Carolina 29169  
Telephone 803.796.9299  
Facsimile 803.796.1066  
desab@desaballard.com

James R. Gilreath (S.C. Bar No. 02133)  
William M. Hogan (S.C. Bar No. 65272)  
THE GILREATH LAW FIRM, PA

---

<sup>3</sup> Ms. Luzak has sought review from the Supreme Court of this Court's order dismissing Appellate Case No. 2021-000159 by Petition for Writ of Certiorari. Appellate Case No. 2021-001022.

110 Lavinia Avenue (zip 29601)  
P.O. Box 2147  
Greenville, South Carolina 29602  
Telephone: 864.242.4727  
Facsimile: 864.232.4395  
jim@gilreathlaw.com  
bhogan@gilreathlaw.com

S. Alan Medlin (S.C. Bar No. 3924)  
1713 Phelps Street  
Columbia, South Carolina 29205  
Telephone: 803.777.7465  
Facsimile: 803.777.7465  
amedlin@sc.rr.com

Charles B. Macloskie (S.C. Bar No. 3514)  
MACLOSKIE LAW FIRM  
P.O. Box 280  
Beaufort, South Carolina 29901  
Telephone: 843.524.0909  
Facsimile: 843.521.1379  
macloskielawfirm@hargray.com

Thomas W. Traxler (S.C. Bar No. 5624)  
CARTER, SMITH, MERRIAM ROGERS &  
TRAXLER, PA  
900 East North Street (29601)  
P.O. Box 10828 (29603)  
Greenville, South Carolina  
Telephone: 864.242.3566  
Facsimile: 864.232.1558  
tom.traxler@carterlawpa.com

**Attorney for Appellant Hampton B. Luzak**

November 3, 2021

RECEIVED

Nov 03 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM BEAUFORT COUNTY  
COURT OF COMMON PLEAS  
BENTLEY PRICE, CIRCUIT COURT JUDGE

Appellate Case No. 2021-000837

*In re:* IN THE MATTER OF: Estate of Paul Brandon Barringer II

Hampton B. Luzak, .....Appellant

v.

Merrill B. Light, Merrill U. Barringer as Personal Representative of the  
Estate of Paul Brandon Barringer II, J. Randolph Light, Jr., Merrill B. Light  
as putative trustee of the Paul B. Barringer II Revocable Trust dated  
December 4, 1998, and Merrill B. Light as Trustee of the Merrill Barringer  
Light Revocable Trust, ..... Respondents

--and--

Coastal Forest Resources Company ("CFRC").....Intervenor/Respondent.

--and--

Hampton B. Luzak, .....Appellant,

v.

Merrill U. Barringer, .....Respondent.

**PROOF OF SERVICE**

I, Beth Cogan, an employee with Ballard & Watson, do hereby certify that on November 3, 2021, I served a copy of the **Motion for Permission to Exceed Page Limits**, in the above-captioned case on the following individuals by electronic mail using their email address listed in

the Attorney Information System, addressed as follows:

**Bijan Khaladj-Ghom, Esquire  
Rosen Hagood LLC  
bghom@rosenhagood.com**

**Alice Paylor, Esquire  
Rosen Hagood LLC  
apaylor@rosenhagood.com**

**Charles Molster, Esquire  
The Law Offices of Charles B. Molster, III, PLLC  
cmolster@molsterlaw.com**

**J. Ashley Twombly, Esquire  
Twenge & Twombly, LLC  
twombly@twlawfirm.com**

**Lee Anne Walters, Esquire  
Twenge & Twombly, LLC  
lwalters@twlawfirm.com**

**Kevin Johnson, Esquire  
Johnson & Johnson Attorneys at Law, LLC  
kjohnson@johnsonlawyers.com  
kjohnson@twlawfirm.com**

**Harley Ruff, Esquire  
Ruff & Ruff, LLC  
hruff@ruffllc.com**

**Denise Collins, Esquire  
Ruff & Ruff, LLC  
dcollins@ruffllc.com**

**Ryan Rich, Esquire  
Hunton Andrews Kurth LLP  
rrich@hunton.com**

**Edward J. Fuhr, Esquire  
efuhr@huntonAK.com**

Jonathon Schronce, Esquire  
jschronce@huntonAK.com

*Beth Cogan*

---

Beth Cogan, Paralegal

November 3, 2021

## Beth Cogan

---

**From:** Beth Cogan  
**Sent:** Wednesday, November 3, 2021 9:31 AM  
**To:** Ashley Twombly; Alice Paylor; Bijan Ghom; Taylor Davis; Charles Molster; Harley D. Ruff; Denise Collins; Kevin Johnson; kjohnson@johnsonlawyers.com; Rich, Ryan G.; efuhr@huntonak.com; jschronce@huntonak.com  
**Cc:** Desa Ballard; Bill Hogan; Tom Traxler; Alan Medlin, Esquire; 'Macloskie Law Firm'; kathie@gilreathlaw.com; Debbie Dorn; Andrea Smith; 'Gilreath, Jim (Gilreath, Jim)'  
**Subject:** (Luzak v. Light et al. 2021-000837) Ltr to COA encl Motion to Exceed Page Limits  
**Attachments:** 2021 11 03 Ltr to COA encl Motion to Exceed Page limits.pdf; 2021 11 03 Motion to Exceed Page limits.pdf; 2021 11 03 POS Motion to Exceed Page limits.pdf

Good morning,

Please see the attached Motion to Exceed Page limits that is being filed today with the Court of Appeals for the above-referenced matter.

Kindest Regards,  
-Beth

Beth Cogan, Paralegal  
Ballard & Watson, Attorneys at Law  
226 State Street  
West Columbia, South Carolina 29169  
803.796.9299  
803.796.1066 Facsimile  
[beth@desaballard.com](mailto:beth@desaballard.com)  
[www.desaballard.com](http://www.desaballard.com)



**Ballard & Watson**  
Attorneys at Law  
PERSISTENT. UNWAVERING.

Desa Ballard  
Harvey M. Watson III

Post Office Box 6338 | West Columbia, SC 29171  
226 State Street | West Columbia, SC 29169  
ph 803.796.9299 | fx 803.796.1066 | [desaballard.com](http://desaballard.com)

November 3, 2021

*Via Email* ([ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org))  
The Honorable Jenny Abbot Kitchings  
Court of Appeals Clerk of Court  
Post Office Box 11629  
Columbia, South Carolina 29211

**RECEIVED**  
**Nov 03 2021**  
**SC Court of Appeals**

Re: *Hampton Luzak v. Merrill B. Light, et al.*  
Appellate Case No.: 2021-000837

Dear Ms. Kitchings:

Please find enclosed a Motion for Permission to Exceed Page Limits for the above-referenced matters. Pursuant to paragraph (c) of the Supreme Court's administrative order dated August 25, 2021 ("Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules") a check for the filing fee is being forwarded via US mail. If you have any questions, please do not hesitate to contact our office.

With warm personal regards, I am,

Sincerely yours,

Desa Ballard  
[desab@desaballard.com](mailto:desab@desaballard.com)

Enclosures

cc: *Via Electronic Mail*  
Alice Paylor, Esquire  
Bijan Ghom, Esquire  
Charles Molster, Esquire  
J. Ashley Twombly, Esquire  
Lee Anne Walters, Esquire  
Kevin Johnson, Esquire  
Harley D. Ruff, Esquire  
Denise Collins, Esquire  
Ryan Rich, Esquire  
Eugene Parrs, Esquire  
Edward Fuhr, Esquire  
Jonathon Schronce, Esquire  
Thomas W. Traxler, Esquire

The Honorable Jenny Abbott Kitchings  
In re: Luzak v. Light, et al. (2021-000837)  
November 3, 2021

Page 2 of 2

S. Alan Medlin, Esquire  
Charles Macloskie, Esquire  
James R. Gilreath, Esquire  
William Hogan, Esquire  
Hampton Luzak