

LETTER TO THE COURT: UPDATE ON TRIAL TRANSCRIPT

January 18, 2022

The Honorable Jenny Abbot Kitchings Clerk,
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED
Jan 18 2022
SC Court of Appeals

RE: Blythewood Oil Co., Inc., Appellant v. Shinda Singh, Five Rivers Inc., and Singh Inc., Respondents, Civil Action No. 12-CP-20-356 (Appellate Case No. 2021-000944)

Dear Ms. Kitchings,

The Original trial for the above-named case was on November 16, 2017. This case ended in a mistrial. Subsequently, the parties requested, and the Court agreed to hear the case as a non-jury trial. On September 23, 2019, the parties tried the non-jury trial before the Honorable DeAndrea G. Benjamin in Fairfield County. Mr. Michael Watkins was the court reporter for the November 2017 jury trial and September 2019 non-jury trial.

On April 27, 2021, pursuant to Rule 203(b)(1), Appellants filed a Notice of Appeal with the SC Court of Appeals. On September 14, 2021, Appellants requested the transcripts. Appellants requested transcripts of the entire proceeds for the 2017 and 2019 transcripts. On November 11, 2021, former Attorney of Record, Keane Mossman, Esq. followed up with Mr. Watkins confirming the request for the entire 2017 transcript. Mr. Watkins confirmed he will prepare both transcripts that day as well.

On December 21, 2021, Mr. Watkins produced the 2019 Trial Transcript to Appellants. However, the document did not contain the 2017 trial transcript. On December 29, 2021, Appellants corresponded with Mr. Watkins about this information. After communicating with Mr. Watkins, on January 4, 2022, he notified Appellants that he required an additional request for the 2017 transcript, which Appellants provided. Additionally, Mr. Watkins informed Appellants that he would need an extension to complete the 2017 transcript. Appellants find the extension reasonable.

Pursuant to Rule 208, Appellant's Initial Brief and Designation of Matter on Appeal are due within 30 days of receipt of all transcripts. Appellants are updating the Court on the status of both transcripts and the Court reporter's intentions to request an extension. Therefore, confirming Appellants' brief is still awaiting the necessary information to complete the Initial Brief for their appeal.

As always, thank you for your time and efforts in assisting us with this matter. If we can answer any questions or concerns, please do not hesitate to contact me at your earliest convenience. Sincerely,

s/Tony. R Megna

Tony R. Megna

3400 West Avenue

Columbia, South Carolina 29203

S.C. Bar No. 3930

tmegna@gmail.com

Attorney for Appellant

Cc: Linda Jackson
Jackson & Jackson
P.O. Box 7065
Columbia, South Carolina 29202
S.C. Bar No. 2931
linbojack@aol.com
Attorney for Respondents

Cc: South Carolina Office of Court Administration
1220 Senate Street, Suite 200
Columbia, South Carolina 29201

Landon M. Graham

From: Landon M. Graham
Sent: Monday, January 10, 2022 10:40 AM
To: Watkins, Michael C.
Subject: RE: Blythewood oil vs. Sing, et als

No sir. Appellants are requesting the entire 2017 trial transcript, per Mr. Mossman's Nov. 11 follow up email.

From: Watkins, Michael C. <MWatkins@sccourts.org>
Sent: Monday, January 10, 2022 10:36 AM
To: Landon M. Graham <landong@genesisfqhc.org>
Subject: Re: Blythewood oil vs. Sing, et als

Received, thanks!!!

Will it be just testimony only? That's what we had discussed earlier. I pulled it over the weekend...looks like about 4 or 5 witnesses, and I think you have Shinda Singh already.

From: Landon M. Graham <landong@genesisfqhc.org>
Sent: Monday, January 10, 2022 9:07 AM
To: Watkins, Michael C. <MWatkins@sccourts.org>
Cc: Tony R. Megna <tmegna@gmail.com>
Subject: RE: Blythewood oil vs. Sing, et als

Good Morning,

Please see the attached 2017 Transcript Request for the Blythewood Oil Appeal.

Sincerely,

Landon

From: Watkins, Michael C. <MWatkins@sccourts.org>
Sent: Friday, January 7, 2022 9:38 AM
To: Landon M. Graham <landong@genesisfqhc.org>
Subject: Re: Blythewood oil vs. Sing, et als

I need a request letter and then I will ask for an extension.

Thanks
Mike

From: Landon M. Graham <landong@genesisfqhc.org>
Sent: Tuesday, January 4, 2022 2:43 PM
To: Watkins, Michael C. <MWatkins@sccourts.org>
Cc: Keane Mossman <keanem@genesisfqhc.org>
Subject: RE: Blythewood oil vs. Sing, et als

Understood. We will notify the Court of the current status of the 2017 and 2019 Trial Transcripts, and that it is our understanding that you will be requesting an extension to complete the 2017 Trial Transcript—that is what you meant by the November trial, correct?

Landon M. Graham

From: Keane Mossman
Sent: Thursday, November 18, 2021 2:54 PM
To: Watkins, Michael C.
Cc: Jackson & Jackson; Tony Megna
Subject: Re: Transcript

Michael:

We received a letter from the Court of Appeals today regarding the transcript status. Last week you stated that you were likely going to seek an extension on the two transcripts. Please let me know if that is still your intention so that I can update the Court of Appeals and the of Office of Court Administration.

Sincerely,

J. Keane Mossman

From: Watkins, Michael C. <MWatkins@sccourts.org>
Sent: Thursday, November 11, 2021 3:25 PM
To: Keane Mossman <keanem@genesishqhc.org>
Subject: Re: Transcript

I will prepare both transcripts

I am working on a transcript now on a life sentence case and will start on these transcripts when I complete it. I will probably have to ask for an extension.

Mike

From: Keane Mossman <keanem@genesishqhc.org>
Sent: Thursday, November 11, 2021 9:35 AM
To: Watkins, Michael C. <MWatkins@sccourts.org>
Subject: Transcript

Michael:

Just wanted to follow up regarding the transcript request from a couple weeks ago. I spoke with Tony the other day and he does want whatever is available from the 2017 trial including all testimony and exchanges. I believe we just have the Shinda Singh testimony. My apologies for any confusion.

Sincerely,

J. Keane Mossman

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**Landon M. Graham**

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**From:** Keane Mossman  
**Sent:** Friday, October 22, 2021 6:27 PM  
**To:** Watkins, Michael C.  
**Cc:** Jackson & Jackson  
**Subject:** Re: Transcript Request Forms

Michael:

I don't believe the entire trial transcript from 2017 is necessary. I believe that each of the witness testimonies will suffice and, if possible, the jury charge. I have added Ms. Jackson to this email in case she has any objections to the limitation to transcript.

Sincerely,

J. Keane Mossman

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From: Watkins, Michael C. <MWatkins@sccourts.org>
Sent: Friday, October 22, 2021 12:43 PM
To: Keane Mossman <keanem@genesishqhc.org>
Subject: Re: Transcript Request Forms

I dont think so...did you need the whole trial transcript from the 2017 trial.

From: Keane Mossman <keanem@genesishqhc.org>
Sent: Wednesday, October 20, 2021 5:26 PM
To: Watkins, Michael C. <MWatkins@sccourts.org>
Subject: Re: Transcript Request Forms

Good Afternoon, Michael

I was out of town for about a week and a half and I am catching up on emails. I saw yours on my way out and asked a colleague to reach out to you. Did you ever get your question answered?

Sincerely,

J. Keane Mossman

From: Watkins, Michael C. <MWatkins@sccourts.org>
Sent: Friday, October 8, 2021 10:04 AM
To: Keane Mossman <keanem@genesishqhc.org>
Subject: Re: Transcript Request Forms

Okay. I guess I just prepared testimony from the first trial. Do you want that whole first trial with opening, closing, jury selection and jury charge?

Mike

From: Keane Mossman <keanem@genesishqhc.org>

Sent: Thursday, October 7, 2021 1:38 PM

To: Tony R. Megna <tmegna@gmail.com>; Watkins, Michael C. <MWatkins@sccourts.org>; Linda Jackson <linbobjack@aol.com>

Subject: Re: Transcript Request Forms

Good afternoon:

What I currently see is that from the September 2019 Trial the Larry Sharpe, Goldy Singh, and Shinda Singh testimonies are available. If I am not mistaken, I believe those were the only witnesses. As for instructions or other components of the trial I don't see that those were transcribed or submitted. Also attached is the entire 2017 trial testimony from Shinda Singh which was used as an exhibit in 2019.

Sincerely,

J. Keane Mossman

From: Tony R. Megna <tmegna@gmail.com>

Sent: Wednesday, October 6, 2021 9:24 AM

To: Watkins, Michael C. <MWatkins@sccourts.org>; Keane Mossman <keanem@genesishqhc.org>; Linda Jackson <linbobjack@aol.com>

Subject: Re: Transcript Request Forms

Yes you did get a partial transcript of the trial out. Keane, could you please send Michael the partial transcripts I believe of the testimony of Shinda Singh in both the original jury trial and the non-jury bench trial before Josh Benjamin,. Thanks Tony

Thank you, Tony

From: Watkins, Michael C. <MWatkins@sccourts.org>

Sent: Wednesday, October 6, 2021 9:22:03 AM

To: Tony R. Megna <tmegna@gmail.com>

Subject: Re: Transcript Request Forms

sorry...don't think I replied...

I will have to pull it from my external drive and see, seems like I did get a partial transcript on this out.

I also received your request for a trial transcript last week, or the week before .

Thanks, Mike

From: Tony R. Megna <tmegna@gmail.com>

Sent: Tuesday, September 14, 2021 8:02 PM

To: Keane Mossman <law.mossman@gmail.com>; Watkins, Michael C. <MWatkins@sccourts.org>; Transcripts <transcripts@sccourts.org>

Cc: Jackson & Jackson <linbobjack@aol.com>

Subject: Re: Transcript Request Forms

Don't we have parts of the transcript?

Thank you, Tony

From: Keane Mossman <law.mossman@gmail.com>
Sent: Tuesday, September 14, 2021 7:32:15 PM
To: mwatkins@sccourts.org <mwatkins@sccourts.org>; transcripts@sccourts.org <transcripts@sccourts.org>
Cc: tmegna@gmail.com <tmegna@gmail.com>; Jackson & Jackson <linbobjack@aol.com>
Subject: Transcript Request Forms

Mr. Watkins:

I am emailing you on behalf of Tony Megna, attorney for Blythewood Oil Co., Inc., regarding a transcript request for Case No. 2012CP2000356, Blythewood Oil Co. Inc., v Shinda Singh, Five Rivers Inc., and Singh Inc. Please see the attached cover letter and transcript request form. Additionally, this request was mailed by certified USPS service. If you have any questions please feel free to reach out.

Sincerely,

J. Keane Mossman
Bar No. 103720

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