



EPISODE 40: Russell Laffitte's Sentencing + When To Change The Rules of Law

[00:00:10] **Liz Farrell:** Good morning guys.

[00:00:11] **Eric Bland:** Good morning. Cups up.

[00:00:13] **Mandy Matney:** Cups up. We are live from Beech Mountain, North Carolina and we thought we would do the show because the three of us are physically together.

[00:00:21] **Eric Bland:** So good to see you guys in person. It's been a while.

[00:00:24] **Mandy Matney:** It has been a while. We all have, kind of, morning voices.

[00:00:28] **Liz Farrell:** What's this? Is she joining us?

[00:00:30] **Eric Bland:** This is my girl Luna. She's sitting next to me on the couch. We've exchanged a couple of kisses and a couple eyes, you know, gazing at each other. She's a sweet girl.

[00:00:38] **Liz Farrell:** Yeah, she has nothing to add to the conversation though, does she?

[00:00:41] **Eric Bland:** She's happy. She's smiling. She's a chatty little catty this morning.

[00:00:45] **Liz Farrell:** Luna, do you want to see something funny? Wait, oh, wait. We got something funny to tell Eric. Because we wanted to move on to get his reaction live. It's not funny, actually. It's really not funny. Do you want to tell them?

[00:00:56] **Mandy Matney:** Yeah, I'll actually read this tweet from Drew Tripp, who's a journalist at ABC 4 News, and yes, the low country. I'm a little slow this morning. Okay, apparently yesterday, Alex Murdaugh's lawyers filed a motion of some sort asking Judge Gergel to either force Nautilus Insurance to add the Satterfields as parties in their insurance fraud lawsuit against them or dismiss the case. That was their latest motion.

[00:01:28] **Eric Bland:** Well, it's again just another example of them gaming the system. The issue of the Satterfields and whether they have any exposure in accepting money from other culpable parties in connection with Alex's fraud will be



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heard on August 8th in front of Judge Price. And that should settle the matter once and for all because the state court has jurisdiction over the settlement agreement and the confession of judgment that Alex gave in favor of the Satterfields. But this is just them hedging their bets and trying to game the system the same way that they tried to game the system in the murder trial and have Alex admit to all the fraud. So, I don't think that Judge Gergel is going to force the Satterfields to become party in that litigation, and I definitely don't think he's going to dismiss the charges from Nautilus Insurance company.

[00:02:20] **Liz Farrell:** You don't seem surprised, though.

[00:02:21] **Eric Bland:** No, nothing that...

[00:02:22] **Liz Farrell:** They say this was foreseeable basically.

[00:02:25] **Eric Bland:** No, no, I didn't think they'd go to this step. I think they, I thought they would wait until we had the hearing on August 8th to see how it worked out. But I think they're, they're grasping at this point. You know, every time Dick opens his mouth, he trips over it. You know, a couple of months ago he said there won't be a fraud trial on all of Alex's theft, you know, which indicated he would plead guilty, but now, all he's trying to do is, again, shift the blame to victims. It's victim shaming and victim blaming that they do all the time. I don't think Judge Gergel is going to take too kindly to it.

[00:02:59] **Mandy Matney:** I was gonna say, I wonder if Judge Gergel is just gonna be like, "I've had it!"

[00:03:05] **Eric Bland:** I think what Alex just did may end up hurting Russell on Tuesday, believe it or not. It's, he's so sick and tired of this sordid affair of what he's seen from Russell since November. The firing of his lawyers, the blaming of Bart Daniel, the constant, "Judge Gergel, you made a mistake when you discharged those two jurors. Judge Gergel, you made a mistake when you didn't accept Alex's testimony from the murder trial," when he said Russell had nothing to do with it. I think Judge Gergel has had about up to his neck in all the Alex and Russell affair, and I think Russell's gonna get the brunt of it on Tuesday.

[00:03:42] **Liz Farrell:** I hope so. Because when I was looking at the government's motion, or sorry, their memorandum in response to whatever it is he's trying to pull.



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[00:03:51] **Eric Bland:** Thirty-six-pager.

[00:03:52] **Liz Farrell:** Yeah, it was very clear just from the beginning, we knew that he wasn't he wasn't cooperating in any way. But with this new, you saw that he's asking for a downward variance. Are you able to explain the difference between a downward departure and a downward variance when it comes to sentencing in the federal guidelines?

[00:04:07] **Eric Bland:** Downward departure is automatic. Downward variance is, it gives a little bit of discretion to the judge. There's going to be a lot of legal arguments on Tuesday, where he's claiming that you have to accept the fact that the co-conspirator said, "It's my fault. I didn't, that, Russell didn't do anything of it." I think he's also quibbling with some of the charges that Judge Gergel let go to the jury on some of the supersedeas indictments. So one, I was very surprised that it was only a 9 to 11-year guidelines. I was under the impression that it was going to be somewhere between 18 and 30.

[00:04:44] **Liz Farrell:** Well, right.

[00:04:44] **Eric Bland:** And I don't know where, how the guidelines got down the 9 to 11 when the crimes that he was convicted of carry 30-year sentences.

[00:04:53] **Liz Farrell:** So pre-sentencing reports are confidential? We're not allowed to see it at least not at this point?

[00:05:00] **Eric Bland:** I'm not sure that their confidential.

[00:05:01] **Liz Farrell:** Are you allowed to see it?

[00:05:02] **Eric Bland:** I think I am allowed to see it.

[00:05:04] **Liz Farrell:** I feel like we need to look at that

[00:05:05] **Eric Bland:** The 9 to 11. And I think Emily was a little bit surprised at that, and she is adamant that he needs to serve, at a minimum, the 9. Hopefully the 11. Somewhere in between. They're going to be fighting very hard to get the number down to somewhere, she believes, somewhere between 5 and 7.



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[00:05:25] **Liz Farrell:** So we were talking about this a little bit earlier, Russell, by some accounts, still has a lot of support in the community, but you're not seeing that.

[00:05:34] **Eric Bland:** What support? In the country clubs? In the private, in the private dinner clubs? In the private hunting clubs? No, not in the rank and file. Not in the people that I talk with. Does anybody have any sympathy for Russell Laffitte? Remember, you know, when the Plylers speak on Tuesday and I speak on Tuesday, we're going to be talking about this is the guardian at the gate. He accepted the fiduciary role, so he has to be vigilant and have, you know, peripheral vision looking for the wolves that are going to come after all these people that have money that he's a custodian for. Remember, these are not people that have had this kind of money. These are people that have suffered hardship. They're not sure of how to manage their money. You're talking about young kids. You're talking about hard working people. So, he's the guy that should have been the guardian at the gate. He wasn't the guardian at the gate. He actually opened the door, let the wolf in and then worked with the wolves in eating everybody's money.

[00:06:27] **Liz Farrell:** Right. I do worry that people, so, people might not know at this point, but there's going to be a couple hours of arguing ahead of his sentencing because his attorneys are fighting it so hard. And I saw that they're adding, I think her name's Cheryl Schoen, she's with Maynard Nexsen. I forget, they changed their name. They were Nexsen Pruet and now they're Maynard...

[00:06:46] **Eric Bland:** Now they're Maynard Pruet, I think.

[00:06:48] **Liz Farrell:** She's added herself to the case, and I had asked somebody.

[00:06:52] **Eric Bland:** She added their Columbia office?

[00:06:53] **Liz Farrell:** I think so, I think she was involved with the Parker case for a minute. But she, I asked somebody because I was like, is she adding herself to the case now because the judge has already established a dislike for Russell's current lawyers? Mark Moore. Right? Like so, like a softer voice.

[00:07:11] **Eric Bland:** I think again, it's just to have a little bit of diversity on those that may argue. So you know, Emily's a female, so maybe they're adding a female. Winston's gonna argue. Mark Moore is gonna argue. Maybe it's just a little bit of



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balancing. You know, Ron and I always talk about it. Too much of Eric isn't a good thing. Too much of Ronnie isn't a good thing. Maybe they'll have a balance. Maybe she's arguing very fine technical legal points. Maybe she's someone that really understands the nuances of sentencing, so you know, I'll hold my powder until I hear what she has to say.

[00:07:44] **Liz Farrell:** I'm just always leery that women get used in that way.

[00:07:48] **Eric Bland:** Correct.

[00:07:49] **Liz Farrell:** And it's not to detract from a woman's capabilities or what she brings to the table, it's just that I see that happen and it makes me, it gets me a little bit angry. Just that why now...

[00:08:01] **Eric Bland:** Close in proximity to the hearing, why now?

[00:08:03] **Liz Farrell:** Right, it just feels very toping.

[00:08:05] **Mandy Matney:** Right, and that would just be a hard thing, I mean, it's a lose-lose situation.

[00:08:11] **Eric Bland:** Listen, Emily wants us to talk about what it's like to have the trust broken that Russell did towards the girls, and the brazen acts that he did. The Russell TV is going to be front and center in this sentence.

[00:08:26] **Liz Farrell:** Are they going to play it?

[00:08:27] **Eric Bland:** I think she may play it during the sentencing. Certainly I am going to talk about it. It's a slap in the face. It's him trying to infect the jury pool, trying to infect Judge Gergel, trying to infect everybody out there for public sentiment. It's also not only done for what was going to happen in court, but it's being done for exactly what you said is, this community support. Keep the community behind Russell. From what I understand, he's bringing in the full bench of people to support him and to talk about him. So, Emily said that she does something a little different. Usually the government speaks first on a sentencing, and she's indicated that she's going to permit the defense to speak first.

[00:09:11] **Liz Farrell:** To hang themselves basically.



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[00:09:12] **Eric Bland:** Well, that or to see what it is that we have to go up against

[00:09:16] **Mandy Matney:** See the cards.

[00:09:17] **Eric Bland:** See the cards.

[00:09:18] **Mandy Matney:** So, how much of this is going to be, now, so...to explain again, in federal court...

[00:09:24] **Eric Bland:** No cameras.

[00:09:25] **Mandy Matney:** There's no cameras, there's no audio recording, no live feed, etc, etc. They take our phones, but how much of the arguments on Tuesday are going to be in public court versus behind the scenes or behind closed doors?

[00:09:39] **Eric Bland:** Unfortunately, you two aren't writing anymore. So, if you were writing the public would...

[00:09:45] **Mandy Matney:** Ah well. Well, we're gonna be there. We'll be tweeting...

[00:09:48] **Eric Bland:** No but tweet, I'm talking about really writing those robust news articles where you would do a full exposé.

[00:09:54] **Liz Farrell:** So you're saying that the editorial writers in South Carolina should have picked up on that and...

[00:09:58] **Eric Bland:** Yeah, I think, you know, who's going to tell the real honest-to-god true story? Because I think a lot of it needs to get out. The public needs to know. One, now everybody's suspect as to why is it 9 to 11 years when everybody was being told 30 years, and this new sentence is 65 years. Hell, all the sudden, so all that needs to be explained.

[00:10:22] **Liz Farrell:** Right. It's the Bureau of Prisons that puts together the pre-sentencing report with the guidelines cracked.



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[00:10:28] **Eric Bland:** Right, and you notice in state court there's no such pre-sentence report. You know, it's up to the judge. He looks at the statute, he says a statute says, "Well, you just got convicted of X. It's 30 years, and boom."

[00:10:39] **Liz Farrell:** Right. So, I guess what the Bureau, they're what they're doing is they're following a formula, though. So it's very, is there wiggle room there in terms of if somebody wanted to be very subjective about it?

[00:10:50] **Eric Bland:** I think that's the variance that you're talking about with Judge Gergel. How much can you...

[00:10:54] **Mandy Matney:** That's different though. Outside the guidelines.

[00:10:56] **Eric Bland:** Outside the guidelines, can he come down? But the guidelines were put in place under the 1994 Crime Act by Biden to give certainty in sentencing. Give a little bit of discretion, but between the fence post for a judge, but the judge can't go beyond this fence post and go beyond that fence post. He could stay in the middle? The issue here is going to be, you know, what's the explanation for only 9 to 11? Can Judge Gergel depart? Why should he depart? What would be a reason why he would depart? Did Russell cooperate? The answer's no. Did Russell take the government to trial? Yes. Did they make the government spend a lot of money? Yes. Did he file every single post-trial motion that he could and then blame the judge? Yes. So, where do you see any type of compassion or any type of discretion being employed to benefit Russell here? I don't.

[00:11:52] **Liz Farrell:** Yeah, you know, as I look at the bigger picture of things, I think we can all agree that Alex is arrogant, thinks and entitled, right? But then when I look at it, I scope out a little bit farther from it, and it looks to me like Russell may actually win the award for the most entitled and the most arrogant throughout all of this. Because Mark Tinsley said in our--we had a happy hour with him this past week--and he called Alex a dunce. And it was just the most hard-hitting insult that I could imagine. Because there's just such a long list of names that you could call Alex, and a dunce just perfectly, just sums it all up, and it's got the perfect onomatopoeic--it's just the perfect word for him. So, the arrogance comes off a little differently, right? He felt this thing with Nautilus. It's just another eye roll. He backs up on his settlement agreement with the Beach family. Now he's making that difficult. It's just, he's just annoying. But, Russell comes in here like, in every single



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way he is, it's almost like he's just so aghast that anyone would ever find Russell Laffitte to be repugnant and deserving of any sort of (inaudible).

[00:13:02] **Eric Bland:** You can look at Jan Malinowski, you can look at a lot of the other board members that testified at that trial--real coat-and-tie, real polished guys--when I hear Russell Laffitte talk, I don't hear polish.

[00:13:14] **Liz Farrell:** No.

[00:13:14] **Eric Bland:** I don't see, you know, the Union League banker, okay. He does not come across is that. This guy would no more be president of a bank if his dad didn't own the bank than the man on the moon. You'd find him at, you know, a mid-level manager in some company. But he's not, he thought, I know he thinks of himself as being, you know, the good ol' boy and, "I control what goes on in this town and I'm one of the more powerful people", but he's not. He's an idiot. He talks it. He talks like an idiot. He doesn't talk like a banker.

[00:13:47] **Liz Farrell:** Arrogant, though in my, so, there's a polished arrogance, sure. You know, Dick Harpootlian is more of a polished arrogance, I would say, right or...

[00:13:55] **Mandy Matney:** Used to be.

[00: 13:56] **Liz Farrell:** Yeah, or used to be. A shinier, a shinier version of it, maybe?

[00:14:01] **Eric Bland:** Yeah, or a duller version of that. He's a, he's just a good ol' boy that thinks so much of himself.

[00:14:08] **Liz Farrell:** Nick Harpootlian?

[00:14:08] **Eric Bland:** No, no, no, no. I'm talking about Alex.

[00:14:11] **Liz Farrell:** Yeah. So Russell, to me, is just more of...it's like looking at a child in a 50-something-year-old man's body. Because he is grabbing onto his mom's skirt, he's holding his dad's hand, he's got all these people around him that feed him this idea that what he did wasn't that bad. But you look at it again, he didn't cooperate with the government, he has not shown any amount of remorse.

[00:14:34] **Eric Bland:** No, and no contrition.



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[00:14:36] **Liz Farrell:** Yeah, it's like he got tricked. Because here's the thing, let's just accept that he got tricked by Alex. Let's take his little argument that this was all, you know, he got tricked by Alex. He was the victim here. You have to take responsibility for being dumb enough to have been tricked by Alex in that response. Given your role as being president, and even if you only have that role because your dad owns the bank.

[00:14:57] **Eric Bland:** Right. You are 100% right.

[00:14:59] **Mandy Matney:** Yeah, and I thought, I mean watching him on the stand, I thought not only was he unpolished, but he was also struggling with trying to present himself as like a country boy farmer. He didn't belong in that category either. He's not a down-to-earth guy that people want to get a beer with either. He is a...

[00:15:22] **Eric Bland:** His lawyers had him prepared in a certain way. That they wanted him to show contrition, that they wanted him.

[00:15:30] **Liz Farrell:** Talking about Matt Austin.

[00:15:31] **Eric Bland:** Matt Austin (inaudible). The way he was prepared, whether it was by the jury consultants or witness prep, this is how they prepared him. But then he has this personality that he thinks, "I know better." And there was this struggle with, at times, that it waded back and forth to "I'm a nice guy", and then all of a sudden defiant.

[00:15:51] **Liz Farrell:** Right.

[00:15:51] **Eric Bland:** And then finally he abandoned the preparation that he got from his lawyers and said, "I'm going on me because I can sell me". The same way that Alex thought he could sell himself.

[00:16:01] **Mandy Matney:** Yeah, it was...

[00:16:03] **Eric Bland:** This is the arrogance you talked about.

[00:16:05] **Mandy Matney:**



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Yeah, and the moment for me that I was like, "Oh, this is not going well for Russell," is Emily objected, Emily Limehouse, objected to something and he talked back to her, or he said, "That's not an objection." Or something. It was...

[00:16:18] **Eric Bland:** Gergel said, "I think I handle that."

[00:16:20] **Mandy Matney:** Right, and Judge, and the judge is like, "Uh, that's my job, sir. Who do you think you are?" And he got really red and angry, and you could tell he wanted to be in control of the situation and he wasn't. And I think he was just used to this world where he could interrupt people, he could do things like that all the time, because he was Russell Laffitte and his family owned the bank. But I think that's what makes the Murdaugh story so fascinating, and also disheartening, is it's not just about Alex Murdaugh. It's about all of these people that went along with it, and all these people that encourage people like Russell afterwards, and were like, "What you did wasn't that bad." And that's what creates this.

[00:17:02] **Eric Bland:** That's just the nail on the head. He's got an audience, and I believe for the last six months instead of some people who are close to him giving him good sound advice, saying, "Russell, I know you think you didn't do anything wrong," but exactly what you said, Liz, "At a minimum, you didn't do your job. Whether you were duped--you want to say you're a victim--you let your guard down. And at least you need to admit that." I think he had nothing but sycophants around him for the last six months, and we're going to see it on Tuesday. People said, "You were a victim. You are scapegoated. You shouldn't have been, two jurors shouldn't have been discharged. The judge is against you. Your lawyers at Nelson Mullins didn't do a good job." It's everybody just chirping in his ear. You're the victim. You're right. Everybody else is wrong.

[00:17:51] **Mandy Matney:** Right, and there was real victims that he was supposed to protect like the Plylers, that he, I mean, that are still...

[00:17:59] **Eric Bland:** Or Arthur Badger.

[00:17:59] **Mandy Matney:** Yeah, or Arthur Badger, that he let down and there was not one point on the stand where he expressed any sorrow or remorse for what...

[00:18:07] **Liz Farrell:** I don't think he sees them as human.



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[00:18:09] **Mandy Matney:** I don't either. I do too. I...

[00:18:11] **Liz Farrell:** Especially the Badger family. I don't think he sees them as on his level. On a human level. Not even just on Russell's family reputation level. I just...

[00:18:11] **Eric Bland:** (Inaudible) when something that nobody's said. I think the same thing of Alex.

[00:18:26] **Liz Farrell:** With the Satterfields, and yeah.

[00:18:28] **Eric Bland:** Alex's clients are nothing but tools.

[00:18:33] **Mandy Matney:** Right?

[00:18:33] **Eric Bland:** To a means to an end. The same thing for Russell. Russell, look at the money that he was able to get. Look what he probably said to his dad, "Look at what I'm bringing in by way of deposits. That, you know, we can sit there every week and try to market ourselves to the guy that makes, you know, \$800 a week or \$1,000 a week, and put \$200 a week in your savings account. I'm bringing in millions of dollars with this relationship. So you leave me alone."

[00:19:01] **Liz Farrell:** Yeah, or it could have been his dad is like, "You're going to be in charge of this very important relationship that we have." It's really hard to tell because Russell hasn't been forthcoming with the government one bit. But it's going to be fun to see what happens to him, and I just, the tension that is in that courtroom to begin with, with Russell Laffitte, and it's a particular tension because he does have so many family members there, and there are people that ascribe to that narrative, and I don't know. That's what brings attention to the courtroom, so I'm excited to be amongst that tension, because I think I'm just at a point where I'm so irritated and angry. We can talk about this not just with Russell, but what seems to be happening with Cory Fleming as well.

[00:19:41] **Eric Bland:** I'm irritated with Charlie and Gray. I want to know what has been going on with them for the last 18 months. They're lawyered up. Have they been questioned? Have they been asked to give a 302? Have they gone before grand jury? I want to hear what Charlie is going to say about his son on Tuesday. Is he going to be a father that stands up and says, "It's on me. I should have watched out. He was just doing what I wanted him to do, or what we wanted him to do with the board."



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You know, is Charlie going to walk himself into a problem? So that's going to interest me to see how far his dad, if he speaks, I mean. Obviously you'll hear from the mother and you will probably hear from a child, and it's going to be sad to hear from a child standpoint. And I don't have a problem at all with a child, you know, sad that their father is going to go away, but Charlie's going to be an interesting thing if he decides to get up and speak. Is Jan Malinowski going to get up and speak on behalf of the government to say, "Hey, he hurt our back. He hurt our reputation. We've suffered because of it. He needs to pay the price"? Remember, who's going to talk on behalf of the government? Not just Eric and the Plylers. But there has to be some back officials that are going to talk. For me, it's not credible that Charlie gets to say, "I didn't know anything of what Russell's doing," given the nature of the relationship that he discussed, and given that he said, "I didn't have to go to the other board members, because I spoke to my father and Gray and we had the votes." That came out at trial.

[00:21:12] **Liz Farrell:** Right.

[00:21:13] **Eric Bland:** This is the, you know, we're resuming the energy that, you know, waxed and waned. So we're resuming this energy again. It's going to be here, and then 15 days later we have Cory's sentencing. And then we have Cory's trial in September.

[00:21:32] **Liz Farrell:** So we will be right back.

[00:21:46] **Mandy Matney:** So, let's talk about Cory. I'm concerned about what's going on with Cory and the order, how fast he was able to get a sentencing date, from the time his federal charges were filed. Very, very quickly. And before his state court. So what does that mean for his state trial?

[00:22:07] **Eric Bland:** According to my discussions with Creighton, it means nothing. He is unwilling to stop the state train because he's getting no cooperation from from Cory. So, I don't know whether that Cory has given that cooperation to the federal government. He's pleading guilty. But I don't, from what I'm told by Creighton, they're going forward full speed ahead.

[00:22:28] **Mandy Matney:** Okay, so for example, let's just say Corey gets two years for his federal.



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[00:22:34] **Liz Farrell:** Is that possible?

[00:22:35] **Mandy Matney:** Is that possible?

[00:22:36] **Eric Bland:** Sure. Sure. Given that Russell went to trial and was convicted of fraud, conspiracy, bank fraud, and it's only 9 to 11. And Cory's only pleading to what, one count of conspiracy? You know, I'd be shocked if his guidelines are anything more than two to three years--two to four years. And so, if he's cooperating, then he does get that downward departure and he's going to go serve, start serving his time, in federal prison. Now, the interesting thing is, if he goes forward on his trial in state court and he gets convicted, you know, when that federal times over with, then he's gonna have to shift over to a state court prison

[00:23:15] **Liz Farrell:** Wouldn't have helped him to cooperate with the state a little bit? What does he think he's doing right now by cooperating with the federal government, possibly getting that, you know, two years or less in prison? How does that help him at all, if ultimately, he's going to have to face...

[00:23:33] **Eric Bland:** I think he's banking on the fact that the public is getting tired of this. Tired of Murdaugh, tired of the money being spent, Alex is behind bars, Cory's behind bars, and maybe that it'll just be enough that somebody says, "Look, we're tired of spending all of this money on Murdaugh. There's other people that need to be tried." Murdaugh, when I say Murdaugh, it's the Murdaugh, you know, the envelope of Murdaugh.

[00:23:59] **Mandy Matney:** Right.

[00:24:00] **Liz Farrell:** What makes you think people are getting tired of it?

[00:24:02] **Eric Bland:** I hear some of it.

[00:24:03] **Liz Farrell:** You're talking about people in your, like lawyers? Or you're talking about...

[00:24:08] **Eric Bland:** Lawyers a little bit, but it's more everyday people. I've heard the word 'piling on'. Listen, not that they don't think that they're not guilty, not that they don't think that they have to pay for, but when they hear additional charges, it's 900 years and additional charges making another 150 years. How much do you need?



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And I have to educate them, well, if the murder charges get reversed, the murder conviction, now we're back to square one. So, we've got to make sure we have something that sticks that puts this guy behind bars totally at the time. Then the other thing is, it seems like we're eating the same meal every day. It's the Happy Meal every day. We need other people, because the public is saying, "It's not just Russell, Alex and Cory."

[00:24:55] **Liz Farrell:** And that's what makes me scared. When you say that people are saying 'piling on', and I understand that like 900 years is, obviously, not a real thing, but also I do think that there has to be a message sent for each of those charges. I think everything that he's been caught doing needs to have a corresponding charge, in my opinion. And a corresponding charge is obviously going to come with the sentencing guideline. But the 'piling on' thing, I think, is something that you say, this is where we cross into, "Is Murdaugh for...is this about justice, or is this about entertainment?" Piling on for entertainment, people are sick of it, I totally understand that. But there's so much more behind it, that I'm afraid that the 'piling on' statements are getting used as a way to say, "Let's just stop it here, and let's not look into those other people who we all know are involved in some way."

[00:25:39] **Eric Bland:** Does Dick and Alex and Jim really want it to stop? That's the other question you should ask yourself.

[00:25:44] **Liz Farrell:** I can imagine Jim probably doesn't.

[00:25:46] **Eric Bland:** There you go. We got documentaries. This is, Dick gets to smile and grin like a Cheshire Cat for every time he makes a motion, it becomes part of a documentary. You know, I don't know, this is the Alex Murdaugh industry now.

[00:25:59] **Liz Farrell:** Well, you saw that Mark Tinsley objected to, Alex wanted to make his deposition not be able to meet be made public, I guess, he wanted to put it under seal. Or what would the word be for that if you...

[00:26:11] **Eric Bland:** Seal.

[00:26:11] **Liz Farrell:** Yeah. Seal the deposition. And Mark did not agree to that, and simply for the fear that they were doing that as a way to preserve their own. That they were using the deposition as a way to create content for a documentary or for whatever endeavors they want to do with Hollywood or what have you. And they



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were going to use the deposition as a way to have just Alex say things that Alex says when he has the microphone.

[00:26:34] **Eric Bland:** Mark was brilliant when he said, "I'm not attending Alex's deposition. Why am I gonna give him a platform?"

[00:26:39] **Liz Farrell:** Right.

[00:26:40] **Eric Bland:** You know, I'm not gonna do it. Yeah, he's just gonna lie.

[00:26:42] **Liz Farrell:** Yeah. What is the point of this?

[00:26:43] **Mandy Matney:** That's what he does. Yeah. That's, yeah, that's when everybody always, I get that question a lot. "If you got the opportunity, would you ever sit down with Alex Murdaugh?"

[00:26:54] **Eric Bland:** I would.

[00:26:54] **Mandy Matney:**

Yeah, I know you would. But I'm with Mark, I'm like, "Why entertain it?" And also, it's not a piece of content to me. That is like giving a narcissist a bigger platform, and a room to manipulate, and more room to think that he has more power and I just don't want to ever be in that category of journalists begging for Alex Murdaugh's time and attention. That's just, it is, it's useless.

[00:27:23] **Liz Farrell:** Not even worth it. He had his platform. We heard him for a day on the stand. At least. It was two days. Yeah.

[00:27:31] **Mandy Matney:** We've seen it. We've all seen his naked pictures.

[00: 27:34] **Liz Farrell:** Yeah, we've seen a lot. We've got the guy. He's checked.

[00:27:37] **Eric Bland:** I hope the Brian Stirling and the Department of Corrections does not give him the opportunity to do an interview, but you're going to see it in the coming years. If he's convicted and that conviction sticks on the murder, or the other convictions take place...

[00:27:52] **Liz Farrell:** Right.



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[00:27:53] **Eric Bland:** And we know that he's there for the rest of his life, that's when that golden interview is going to come.

[00:27:58] **Liz Farrell:** The next move is going to be to get him out of the South Carolina prison system, right? Move to another state.

[00:28:04] **Mandy Matney:** I was under the impression that SCDC has very strict rules about prisoners doing interviews. That we are a, we're not a state where a journalist can just walk in and film. It's very, very...

[00:28:18] **Liz Farrell:** But they also do, I mean, Susan Smith was able to give her interviews. Right? Am I not misremembering that?

[00:28:25] **Eric Bland:** I don't remember. I think she gave an interview and it was in print. It was a big story of what Susan Smith's life was like 15-20 years later.

[00:28:35] **Liz Farrell:** Okay.

[00:28:35] **Eric Bland:** And maybe some attributed quotes to her, but you may be right. I'll look that up.

[00:28:39] **Liz Farrell:** Yeah, I don't maybe I'm misremembering, but I do feel like that, I think that they will with Alex.

[00:28:44] **Eric Bland:** Do you really?

[00:28:45] **Liz Farrell:** Yeah, I do.

[00:28:46] **Mandy Matney:** But it's like a—it's a sick world that we're entering with this pieces of content even...

[00:28:52] **Liz Farrell:** To look at a deposition as a piece of content...

[00:28:55] **Mandy Matney:** Even lawyers are doing it. It's not even people in the industry. This is lawyers who are supposed to be part of the judicial system, looking at things as how they can benefit their fame and...



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[00:29:07] **Eric Bland:** I released Chad Westendorf's deposition the day I got it. I wanted the world to know that, especially Hampton County where people put their money in Palmetto State Bank. That's a public service.

[00:29:17] **Mandy Matney:** That was important.

[00:29:18] **Eric Bland:** That was important. That's what I'm saying. I wanted people to know that this guy can't even define, and didn't even know what fiduciary was. That's not content.

[00:29:26] **Mandy Matney:** And what he was saying about Judge Carmen Mullen, and yet his view of, that was extremely--that was a public service, because the public needed to know what was going on there. Alex Murdaugh giving his tell all is not a, ever going to be a public service to any, in fact, it's the opposite.

[00:29:45] **Eric Bland:** He sowed distrust in the system. He's going to say he was a victim. He's going to say how bad SLED was and...

[00:29:52] **Mandy Matney:** And he'll get more of those weird fan girls that are sending him commissary. Disgusting. Bleh.

[00:30:00] **Liz Farrell:** It is really gross. I'm just sitting here thinking about Cory though, and just how he really has escaped so far. It just, I mean part of that's just because sometimes the power, I guess, isn't staying quiet.

[00:30:12] **Eric Bland:** No, he's listening to his lawyer, Liz. Debbie Barbier said, "I don't want to hear your name. I don't want anybody saying they spoke to you," she said, "you stay under the radar." Remember, there's no jailhouse calls, you're here. You know, yes, there was the one where he had his shirt off and he's running, but he's not giving interviews.

[00:30:31] **Liz Farrell:** His shirt off is okay, generally speaking.

[00:30:34] **Mandy Matney:** I don't want to see that either.

[00:30:36] **Eric Bland:** The point is, he's doing exactly as a lawyer, which your client, which you would want your client to do, when he's going to be asking a judge for leniency. He's staying under the radar.



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[00:30:48] **Liz Farrell:** By the way, I have a bone to pick with Debbie because of what she did at the settlement hearing this week--or what day is today? Saturday--god, I can never get it straight. I can never get it straight.

[00:30:58] **Eric Bland:** On Monday, the judge approved, didn't judge...

[00:31:01] **Liz Farrell:** No, Thursday. Yeah, we spoke to Mark Tinsley like minutes after he had gotten home from driving to York County to have that approved, and he said that at the end there, basically, Debbie wanted to get it on the record that, Greg Parker's position is that Mallory got in the boat. So basically, she's responsible for her own death and that they believe that there needs to be something on the record about all the boaters having some responsibility in this. And if, I don't know exactly, I can't remember from what Mark said...

[00:31:03] **Mandy Matney:** Thursday.

[00:31:30] **Eric Bland:** Representing Cory there, she was representing Greg Park.

[00:31:32] **Liz Farrell:** She's representing Greg Parker in that instance, but there was really no functional reason for what she did, other than I guess you're client, her client, probably wanted her to, but it just, it was cruel. It was not...

[00:31:45] **Eric Bland:** It was a disservice.

[00:31:46] **Liz Farrell:** Not a good look for Greg Parker. Right.

[00:31:47] **Eric Bland:** No, none of it's been a good look for even lawyers in general, because you're hearing the other lawyer from North Carolina who said, "We're settling because of the rulings of the judge. The judge denied the motion to change the venue. The judge denied the motion to segregate Alex from Greg Parker at the trial and the insurance companies want to settle. Greg Parker doesn't want to settle. Greg Parker didn't do anything wrong. The cashier didn't do anything wrong. We had great (inaudible)". It's, well then why are you paying \$15 million dollars? Okay, if you're really right, then right is right. There's no wrong and right, there's no right and wrong. Then stand up for what you believe in. You've burned down our system over the last 18 months by saying joint and several liability needs to go. The system's corrupt. You tried to entrap Mark Tinsley. You've vilified the Beach family. Okay, if



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that's what you believe, then go show it, but don't pay \$15 million dollars, and then say, "I'm doing it because you suck, Judge. You created this with two bad decisions."

[00:32:49] **Liz Farrell:** Right, they make it seem like they had nothing left to do.

[00:32:52] **Mandy Matney:** But again, it's like Russell, it's like, Greg and Russell, I feel like, are similar in that entitlement, that sense of, "It's everybody else's fault, and I'm gonna blame every single person besides myself for this, and I'm gonna go down doing that, and I don't care how bad I look. And I don't even think I'll look bad." Yeah and Cory is just like, "Whatever you say, Debbie." And yeah, well, we were talking to a friend last night, and she was saying, "I think what Cory did was worse than Russell." When it comes to his actual interactions...

[00:33:10] **Eric Bland:** He's a lawyer.

[00:33:24] **Mandy Matney:** Yeah. He was really supposed to be the Satterfields' protector and advocator, and that is what's heartbreaking. And he looked those kids in the eye, and or I think he did--did he ever even meet with them?

[00:33:38] **Eric Bland:** No, no. Never wrote him a letter...

[00:33:40] **Liz Farrell:** There's a part of me that wants like Russell and Cory to serve in the same prison, so that Cory is running the prison track and he's just waving to Russell every time he passes him. Because ultimately, Cory, by not having Corey TV, by not, you know, by apparently taking some sort of responsibility--I mean, that letter that he sent to the Georgia Bar was outrageous. I mean, if he...

[00:34:03] **Eric Bland:** It's perjury.

[00:34:04] **Liz Farrell:** It's perjury, for one.

[00:34:06] **Eric Bland:** It's under, it's an affidavit, he signed it with a notary. It's a perjured statement.

[00:34:12] **Liz Farrell:** If we looked at the, if we did a live reading of that letter just from beginning to end, I honestly think people would stay tuned for the entire thing. But, also don't think it would have any effect on Cory again, because if we're going to look at who's doing the most of everything, right. Well, Russell's doing the most of



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arrogance. Cory did the most of that as well with that letter. So, why now do we have clean Cory coming in, you know, August 15th, with no...

[00:34:40] **Eric Bland:** That's why a big Creighton energy standing there saying, "No, it's not just one charge. He didn't just do one thing wrong." The truth of the matter is, I still do not know the extent of the relationship between, the professional relationship, between Cory and Alex. How deep does it go? Chris Wilson. How wide was this circle when there was multiple plaintiffs in a car wreck or a truck rollover, and Cory was the guy who took the second person in the backseat. How strong and deep did this relationship go? Because to the public, if it's one count on the Satterfield case, well, then that's it. That's it. It was just one inappropriate relationship, or was there more? I'm not saying there was more, but I don't know the extent of it. Do you guys know the extent of it? You've done the research on some of the court dockets on when they were co-counsel.

[00:35:32] **Liz Farrell:** There are other cases that I think needs to be looked into.

[00: 35:35] **Mandy Matney:** Yeah.

[00:35:36] **Liz Farrell:** And I don't see any...

[00:35:37] **Mandy Matney:** And involving Carmen Mullen too. And cases that Carmen Mullen was in.

[00:35:42] **Eric Bland:** Where does she fit in to this?

[00:35:44] **Liz Farrell:** She was just signing off on settlements again.

[00:35:47] **Mandy Matney:** Signing off on things that shouldn't have been signed off on. And...

[00:35:51] **Eric Bland:** Where's that? Where's that reckoning coming?

[00:35:54] **Liz Farrell:** Right. I sent an article this morning about the California bar and the aftermath of the Tom Girardi, and Liz, you know more about Tom Girardi than....

[00:36:04] **Eric Bland:** Oh yeah.



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[00:36:05] **Liz Farrell:** This might be my area of expertise. We're gonna talk about Real Housewives of Beverly Hills. But first, we will be right back. So, I will talk about Tom Girardi real quick. He is the lawyer from the Erin Brockovich movie. So, you know, the warm, fuzzy lawyer who gives his paralegal a million dollar check at the end, and everyone just loves. And he is the husband of Erika Girardi, who is, or goes by the name Erika Jayne. She's a performer, I guess, but she's mostly known for her over the top glam teams. She's always looking like...

[00:36:47] **Eric Bland:** She's a little younger than Tom, right?

[00:36:48] **Liz Farrell:** Just a little, yeah. I think she might be my age or a little bit older, but he's, I think he's 85 or something like that. So the way that it was presented to the public, I guess, is that he was, he had to, earn a lot of monies to keep up with his late wife's lifestyle.

[00:37:06] **Mandy Matney:** His hot wife.

[00:37:07] **Liz Farrell:** Yeah, and her perspective would be, "I had no idea that that's what he was doing."

[00:37:12] **Eric Bland:** So how did he keep up? How did he get the money?

[00:37:14] **Liz Farrell:** So, to keep up with it, he still, he's accused of stealing, \$18 million dollars from client trust accounts. And so, it is a lot. I remember a friend of mine sent me that--there was a documentary about it as well--but right as the Murdaugh stuff was happening she was like, "You need to look into the Tom Girardi stuff, because it's exactly the same thing." Since the murders and what have you. But California, according to the article that Mandy sent this morning from the LA Times, California has now taken action. The California Bar. And they've said, "What happened with Tom Girardi should not have been able to happen. So what we need to do as a state of lawyers is to make it so that everyone has to file paperwork about their client trust accounts. So, they have to register their client trust accounts every year with the state of California, and 16, it started with 1700 lawyers had failed to do that. Now, there are reasons for that. That can be, they said that it could be that the lawyers died. Right, so they gave them an extension and then, I think another 60 came back and filed the right paperwork. But now we have over 1600, I think it's 1641 lawyers in South--I'm so used to saying lawyers in South Carolina--lawyers in California, have not registered their client trust accounts. And this is just the first step



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of what sounds like a multi-step plan that the State Bar has in California for how to prevent lawyers from doing what Tom Gerardi did. Even on, you know, a lower level. Just so, they need to be educated on how to handle their client trust accounts, and they need to know that they have to follow guidelines so that it can be sort of, I guess, there's a layer of monitoring.

[00:39:03] **Eric Bland:** You have to have a third party come in and audit, and say your trust account is in order. In South Carolina, you know what the only requirement we have to report--and if we don't then we're published--is the CLE requirements. So annually, we have to have 14 hours of CLE and two hours of psychological, alcohol and drug type of...

[00:39:27] **Liz Farrell:** Which you guys probably all watch on a video

[00:39:29] **Eric Bland:** We watch on the...

[00:39:30] **Liz Farrell:** Other screen and pause barely watching it...

[00:39:32] **Eric Bland:** Every year there's probably 40 lawyers that don't meet their CLE requirements by March 1st of that year. And usually, it's added state lawyers. There'll be some...

[00:39:41] **Liz Farrell:** There were two. Last year was Cory and Alex.

[00:39:44] **Eric Bland:** Yeah, there's some in-state lawyers, but that's the only thing that they want the public to know about. That we didn't get our CLEs in. Not that we have to report to the bar, "what's the state of our escrow account?"

[00:39:55] **Liz Farrell:** Right, and we talked about that a little bit on our Happy Hour too about something we, because we want something to be done, about client trust accounts and lawyers having some accountability over in the state of South Carolina. And obviously I know that lawyers will probably fight against anything that looks like, you know, the state is interfering with their...

[00:40:15] **Eric Bland:** Guess when lawyers fight against us? Ronnie and I have been advocates for the last 15 years that lawyers should have minimum amounts of insurance. The same way that you have to have minimum amounts to drive your car



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off this driveway. The lawyers fight it. So, it's not known how many lawyers run around naked without insurance coverage, which is another point that if you hire...

[00:40:37] **Liz Farrell:** We were talking about this a year ago, you and I, remember?

[00:40:40] **Eric Bland:** It's personally offensive to me. Doctors have to have it.

[00:40:43] **Mandy Matney:** It's crazy. Yeah, doctors.

[00:40:44] **Liz Farrell:** Lawyers in South Carolina...

[00:40:45] **Eric Bland:** But you see how far we are behind on reform that needs to be done for our profession. California, look, California has already done this just that quickly. The Tom Girardi thing. That quickly.

[00:40:59] **Liz Farrell:** Tom Girardi has not been tried for this or anything like that.

[00:41:01] **Mandy Matney:** He wasn't a murderer.

[00:41:04] **Liz Farrell:** He wasn't a murderer.

[00:41:05] **Eric Bland:** Shouldn't we have had the Murdaugh rule already like the Girardi rule?

[00:41:09] **Mandy Matney:** No, but you've seen their statements from the bar. They have said that the media is exaggerating the situation and everything's fine here. They are not taking, the South Carolina Bar has not taken any accountability whatsoever. They've not had any sort of a public moment saying, "Hey, maybe we should at least look at it something and see what, how we can prevent this." That's what was encouraging to me when reading the article from California. It's like, wow, look what they're doing. They took something bad and said, "How do we make our profession better? How do we rise above this?" Ho do we protect people?

[00:41:45] **Liz Farrell:** Yes, how do we protect people? That's our, that should be our job, and instead, South Carolina, every time the Bar ever says anything relatively involved in this, they are ducking, hiding, wanting it to go away, and not having a reckoning. This, it needs, there needs to be a big reckoning.



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[00:42:07] **Eric Bland:** They're still focusing on the lawyers, instead of what you say California is focusing on the public. California seems to be focusing on the public of consumers of lawyer services. South Carolina Bar and the ODC still seem to be focusing on lawyers, and to be truth be told, there is a little bit of turmoil in the ODC because John Nichols left and he went back into private practice. And there is an interim director, who was a subordinate of John Nichols, but no one who is the chairperson of the ODC. And I'm told that Michael Virzi from the law school wanted, and we all wanted him, because of his ethical background. And I think they named somebody who's an assistant attorney general that doesn't have grievance background, doesn't have an ethics, a legal ethics background. Has more of a prosecutorial background. And so, there is a turmoil.

[00:43:07] **Liz Farrell:** Hold on a second, because I think I like what you just said.

[00:43:10] **Eric Bland:** I understand. I understand. But there's a difference between crimes...

[00:43:16] **Liz Farrell:** Sure.

[00:43:17] **Eric Bland:** And violations of rules of professional conduct. And there's a lot of violations of rules of professional conduct that happened within Alex's sphere. And I want to know what is being done on that, and if there's no director, what is being worked on up there? I don't know. That's what I'm saying. There could be turmoil.

[00:43:35] **Liz Farrell:** They need to fix that fast because it's starting to look like a fascist administration, where you just don't fill your department heads because you want to keep, purposely keep them open so there's no oversight.

[00:43:46] **Eric Bland:** Right, and what is being done? And we, nobody, there hasn't been an opinion written even on Alex's disbarment.

[00:43:53] **Liz Farrell:** We haven't gotten an opinion from the Supreme Court on Gerard Price yet.

[00:43:57] **Mandy Matney:** Yeah, that too.



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[00:43:58] **Liz Farrell:** I mean, it's unbelievable. The amount of, just things I think, I think we're, in South Carolina in particular, we're just so used to people not paying attention that...

[00:44:08] **Eric Bland:** Moving on.

[00:44:09] **Liz Farrell:** This is just, yeah, and moving on. That's why. People want to move on quickly, because then they don't have to deal with it anymore. And it's not a way, they need to recognize I think right now, that this is not going to go away. We're not done and we're not going to shut up about it, so.

[00:44:27] **Eric Bland:** Look, if a law firm as big as the Parker Group, or the former Murdaugh could have issues with their trust account, where people didn't know that Alex had taken money for improper purposes from that trust account--and that's a big firm--then it's not too far-fetched to think if there's smaller firms or sole practitioners, what do their trust accounts look like?

[00:44:52] **Mandy Matney:** And it just seems like something that could be fixed very easily with regulations and a bar that actually cares.

[00:45:00] **Liz Farrell:** That isn't in denial. That's the problem with the state bar is they've been in denial this entire time because they're so used to what we just talked about, which is moving on, and just let's make sure people things are fine, we can move on, and then it will be done.

[00:45:13] **Eric Bland:** Look at government, the way it works. When we had the 2008 recession, then we had the Sarbanes-Oxley that came, that these corporations have to do reporting.

[00:45:23] **Liz Farrell:** Right.

[00:45:24] **Eric Bland:** Then you have, you know, when we had the legislators in the 80s in South Carolina, the bribery. Then we had ethics rules put in place. It's okay, when you have a Murdaugh situation, to then put rules in place to deal with it so we don't have a Murdaugh situation again. Where is the subsequent rules being put in place?



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[00:45:46] **Liz Farrell:** So what's interesting with the Tom Girardi article is someone was quoted as saying, you know, like I said, those 1600 people, they're not all stealing from their clients, most likely. But we have to assume that that is one of the reasons why people have not responded, is that their client trust accounts are not up to any sort of scrutiny. So that is...

[00:46:08] **Eric Bland:** Could be employee stealing. It doesn't necessarily mean lawyers. There's a lot of cases that you'll read every year in our bar on advanced sheets, where it was a subordinate employee that had access to the trust account, and the lawyer who's supposed to supervise that did not. And where it happens the most, Liz and Mandy, is in real estate closing practices, because hundreds of thousands of dollars come in to pay off a mortgage or for the purchase of a property. And then 30 or 40 checks go out. Pay off a first mortgage. Pay off a second mortgage. Deed stamps. Title insurance. Liens. HOA dues. Taxes prorated. So many checks go out, and if a lawyer is not keeping abreast of it, then God forbid, if there's a subordinate employee that has a financial problem at home or a hardship and knows that their boss is not paying attention, they may dip into the cookie jar.

[00:47:07] **Liz Farrell:** Yeah, that's why it's important. So, I hope we see some action from the State Bar. I mean, if we're not going to see the Supreme Court have a backbone on this, and they might think that they've had one so far, but we haven't seen it. If we're not going to see the ODC show that this really matters to them--and all it's going to end up doing is hurting lawyers in the state of South Carolina, because more and more clients are going to be asking questions from the very start, and they're going to be very dubious of honest people along with, you know, the people that might not be so honest so--it's going to cause more hardship for lawyers in the long run if you don't have these, this sort of reaction, this big reaction from the Supreme Court from the ODC and from the State Bar. So they might want to just keep it tempered, but it's gone too far. We've seen too much and we know too much about what what is possible in the state. And ALEC is not the only one. He just isn't. I'll go back to what Mark Tinsley said, he's a dunce. He does the dunciest of dunce things. So, if he's a dunce, and there's people, I would assume, smarter than him in the bar, right? Come on now. You're gonna tell me there's no one else who's doing it to his level? I don't believe it.

[00:48:21] **Mandy Matney:** Right. And again, just own up to it. Get out of the denial mode. That doesn't help anybody and public trust in lawyers is deteriorating in South Carolina,



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[00:48:34] **Eric Bland:** Who, you know, don't single out lawyers. It's all positions of authority.

[00:48:38] **Mandy Matney:** Yeah.

[00:48:38] **Eric Bland:** It's judges. It's politicians. It's across the board.

[00:48:41] **Liz Farrell:** Right.

[00:48:42] **Eric Bland:** But the public does not feel like they're being heard or they're being served, and that's dangerous.

[00:48:48] **Liz Farrell:** Right. That's absolutely right.

[00:48:52] **Eric Bland:** And we'll be right back.

[00:49:07] **Liz Farrell:** Okay, Eric.

[00:49:08] **Eric Bland:** Yes?

[00:49:08] **Liz Farrell:** We have our courtroom question for you of the week. What is the difference between a motion to amend an order and a motion to reconsider?

[00:49:17] **Eric Bland:** A motion to reconsider is when you ask the court to reconsider an order that was entered because the court either misapprehended the law, that they cited law in the brief that's wrong, or that it doesn't actually hold what the judge said it held in the order. And it often exists because our state court judges don't normally write their own orders. They ask both sides to submit a proposed order. And what ends up happening is, one side may slant a case's holding a little bit too far. They'll stretch it a little bit too far. It's cute that you say "may" because you all do it. We all do it. We cite favorable language. We're supposed to in our duty of candor to the court, under our rules, cite opposing language. But we have a tendency, and I've done it myself, where you only cite the most favorable language from the decision. So it's either a misapprehension of law, or a new fact came up within the knowledge of the parties after the hearing that has relevance to the order and they want the judge to consider it. And oftentimes, motions to reconsider are very, very rarely granted because the court will say, "No, I didn't misapprehend the law," or two,



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"These facts were available to you prior to the hearing and you should have brought them up." A motion to amend is different. A motion to amend the order is rare, but what it says is there could be a Scrivener's error in that, you, the date's wrong. And the reason that that's important is because I'm going to appeal this and you didn't grant a statute of limitations, and you have the date as 2016 instead of 2015. So a motion to amend the order is, I'm not asking you, Judge, to change the decision from granted to denied. I get it that you're not going to change that decision, but I need you to change this because, factually, you're wrong here. It's just factually wrong. It's not new facts that come in to change it from motion granted to motion denied. I get it, you're not going to change your decision. So that's the difference.

[00:51:34] **Liz Farrell:** So, I think we saw a motion to reconsider in the Beach case involving when Judge Hall originally did sever the case, very temporarily, and there was a misapprehension of the law. And basically what the facts were that were given to him...

[00:51:50] **Eric Bland:** Which is rare for a judge. It's a judge basically saying, "You know what, I was wrong. I shouldn't have signed that order."

[00:51:57] **Mandy Matney:** And how long does the judge have?

[00:51:59] **Eric Bland:** A motion to reconsider you make within 10 days. A motion from relief of judgment, you can make up to a year. So the motion needs to be made pretty quick within the receiving of the final signed order.

[00:52:14] **Liz Farrell:** Is that hard for you guys to go up against a judge and basically say...

[00:52:18] **Eric Bland:** You've got, it's delicate. You're basically saying, "Judge, you were wrong, and here's why." And judges don't like to be told they're wrong. These are interim orders, by the way. So if you constantly are making a motion to reconsider on an interim order, and this is the judge that's going to try your case, how many times do you get to tell the judge you're stupid and wrong before the guy says, "You know what, I've had enough of this. Every time I enter an order, you're constantly filing a motion to reconsider. I'm not wrong every time."

[00:52:48] **Liz Farrell:** I have a real quick question. Are judges particularly sensitive to...



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[00:52:52] **Eric Bland:** Yes. Um, I....

[00:52:56] **Liz Farrell:** I've read a lot of transcripts where I see a pouty little exchange with a judge who's feeling like they're being questioned, so...

[00:53:05] **Eric Bland:** I had a verdict in 1992 for \$200,000 against the firm. They were this exercise studio in Five Points and they sold the second most amount of videos to Jane Fonda. It was a female type of gym and they did all these exercise videos, and they stole, the allegation was my client made (inaudible) and equipment. Sorinex made a bar that they use their videos. They were going to buy it from Sorinex, and they didn't. They sent it to China, and China, a Chinese manufacturer did it for a 10th of the price that Sorinex was going to charge. So I sued, because we had an exclusive contract, and they got the verdict. And Henry McKellar, the judge, didn't like my verdict, told the defendant immediately to make a motion to reconsider and I argued in my motion to reconsider the verdict, "Judge, this is what the appellate court said in Bobo versus Stringer Oil." And his exact words are, "I don't care what the appellate court said." Well, that was the opening line in my brief. And I remember I was at the Judicial Conference, and he walked up to me and I said, "Renee, this is Judge McKellar." And he turned to my wife and said, "Yeah, your husband's the one who said in an appellate brief, 'I don't care what the appellate court said. Made me look bad.'" So they do have feelings.

[00:54:36] **Liz Farrell:** Yeah, they have feelings.

[00:54:38] **Eric Bland:** Don't forget, that was three years later, and that judge had not forgotten.

[00:54:43] **Liz Farrell:** Unbelievable.

[00:54:43] **Eric Bland:** Yeah. Mhm.

[00:54:45] **Liz Farrell:** Well, we'll do something easier. We'll do the newsroom question now. So Mandy, as we move forward in our *True Sunlight* podcast era, what cases are you most looking forward to researching? But more importantly, what cases are we trying to look for in order to... Recently, so this week, we had our first episode of the Grant Solomon case, and we are going to continue looking in. And we do our reporting in real time, so these are not probably going to be neat episodes



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one through--the next 10 episodes will be this case where we will probably be going back and forth between cases--but what kinds of cases?

[00:55:28] **Mandy Matney:** Um, I--that's a good question. And I think the, we always say cases where crime meets corruption, but obviously, it's more than that. Cases that can have a large impact on not just the victims, but a whole region of people, like the Murdaugh cases. And I feel like we specialize in really complex true crime cases, that there's a lot of nuances, there's a lot of, it's not just man murdered wife.

Eric Bland: [00:55:56] Right.

[00:55:57] **Mandy Matney:** It's just gory and weird.

[00:55:59] **Eric Bland:** It's the system too.

[00:55:59] **Mandy Matney:** Right. It's where the whole system is affected, and so it's very particular. And it's hard to find a case like that, but it isn't.

[00:56:12] **Liz Farrell:** At the same time. Right.

[00:56:15] **Mandy Matney:** It should be harder to find cases like that, but what do you think, Liz?

[00:56:19] **Liz Farrell:** So, I would say with the Solomon case, one of the things that immediately stood out to us was when you started looking into, first of all, the amount of material that's available and is already pre-organized for us, to a certain extent, was also very helpful. So, the court documents were all downloaded, they were all collated and together. That makes it easier because these are hundreds of pages of documents that we're reading. So once you started looking, once we started looking into it, and we're reading the transcripts from these court hearings, and we're starting to see, you know, for this first episode, we did not speak to either Angie, Solomon, his mother Grant or Aaron Solomon who is the father of Grant. What we did is we did a document dump in terms of putting it all, uploading it all, into our brains, and what we could see from a distance. So the complexities there are, you see how things can happen. A lot of times when we're talking about corruption, you might be talking about a conspiracy to commit corruption, different numbers of the government, you know, saying we're not going to look into this case because of whatever. In this case you're seeing, it happened on an individual level. So you see



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the judge and how he relates to Angie, see how he handles the defense, those kinds of things. So it becomes more nuanced in the sense that we're seeing things that people might not even realize that they're doing, when it comes to contributing to the corruption, that then leads to a crime not being solved. So it's not just the obvious, which is a police department got its feelings hurt because they were told that they didn't do a good investigation, so when they go back and do it a second time, they do it a second time. And you know, they're not going to be putting that energy in there to get a different outcome. That's one piece of it, right? But then you just have a general what we were talking about, with judges get their feelings hurt and literally, that is the thing that stops a person, you know, it contributes to a crime being committed, it contributes to a crime not being solved, whatever it may be. We just want to point out that stuff. It's not just as simple as the sheriff hates me and that's why he won't look into this case. There's all things along the way that get exposed and those are the kinds of cases that we generally like to look at, and that seem to expose themselves to us. Same with the Andracchio case. It's the same thing, where it's just so complex in terms of how did this not get looked at again.

[00:58:38] **Mandy Matney:** Right.

[00:58:39] **Liz Farrell:** In a meaningful way.

[00:58:40] **Mandy Matney:** And we see, and I feel like there's red flags that come up, as we're looking through these cases that came up in Murdaugh and are coming up again in Solomon. One of those red flags, is you start to call police departments, and this has happened a million times, you start to call police departments and just that, "What happened here?" And then Beth Brighton called a couple of them.

[00:59:05] **Liz Farrell:** Yeah, pretty much all of them.

[00:59:06] **Mandy Matney:** Pretty much all of them involved, and they say there's nothing to see there. They say there's nothing there. They gaslight you into saying there is nothing there, and that's always a red flag. And then the question that you asked back is, "Okay, if there's nothing, if you really investigated it thoroughly, and there's nothing to see there, can we see the paperwork?" And they're like "uhh".

[00:59:32] **Liz Farrell:** Yeah. The other thing is the silence.



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[00:59:35] **Eric Bland:** The problem I'm seeing over and over again since I got involved in the Murdaugh thing is, you know, I get these inquiries the same way you guys get them, but it's more from a legal thing. And it's the victim's family or it's the surviving spouse or a friend of a friend that's saying, "We're getting no answers." The common thread I see from people is they just want a full vetting, a full answer, of how did this happen. Okay, if something was done to my son, or how did my daughter get caught in this, but how did it unfold? They get no answers. That's what creates anxiety and that's what creates mistrust. And I think the police departments err on the side of not being open as much as they can be. I get it. The investigations are ongoing, you don't want them being interfered, you don't want to release, but they can be. There is a balance of being more open, especially with the victim's family, okay?

[01:00:38] **Liz Farrell:** Open, it doesn't even have to be open, it's the sense of just acknowledging them and returning their calls. It's just the basic foundation of customer service, and I think if more detectives and investigators did that, you'd have less mistrust in the process itself.

[01:00:54] **Eric Bland:** They don't like opening files. We know that. They make a decision and they say it's closed. I had a situation this week, where I represented a family, their father was killed, and the shooter claimed self defense. The solicitor sat down with the family and said, "Look, there really is a substantial stand your ground defense here, and that's why we're not going to prosecute this guy for shooting your father." And they had text messages for my clients father who got shot, he really was aggressive, he really threatened, but they sat down.

[01:01:32] **Liz Farrell:** Yeah.

[01:01:33] **Eric Bland:** The sheriff, the solicitor of Lexington County, and five detectives sat down with my clients' family for an hour and a half, and showed them the entire file. And my clients family walked out of there and said, "I can understand why they're not going to charge this with murder."

[01:01:53] **Liz Farrell:** Right, but did they do that because they had an attorney (inaudible)?

[01:01:56] **Eric Bland:** It was the first time I've ever seen it. It was beautiful and it worked.



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[01:02:02] **Mandy Matney:** Yeah, and a lot of times that's all these people want. It's just like, "Okay, if you say that there's nothing, I just need you to explain it and show it to me and then I can move on." Because these, a lot of official police departments, solicitors, etc, just make victims feel like they don't matter, and that just makes the trauma that they're experiencing so much worse because then they can't move on. And they can't, and then they continue, to feel like they're being gaslit. They continue to feel like there's a conspiracy against them going on. And it's just a horrible thing that could be prevented by, like you said, just a simple act of "Here's all of the information that we found, and this is why we're doing this."

[01:02:48] **Eric Bland:** They actually gave us the text messages from the victim that he sent, and they, you know, they were bad. And the family wanted them and they turned them over. I have never seen that. That's kudos to Rick Hubbard, who's the solicitor of Lexington County, and Jay Koon, the sheriff of Lexington County. It was really...

[01:03:08] **Liz Farrell:** I agree. Yeah, kudos to them because you don't see that at all. That said, I'm so glad that we get to meet in person, guys.

[01:03:15] **Mandy Matney:** Yeah!

[01:03:16] **Eric Bland:** I miss everyone. Okay, let's talk a little good cheer. Just two minutes. What do we, what was last night for you?

[01:03:22] **Liz Farrell:** We got, well, first of all, it was fulfilling just a dream I didn't even know I had in the 1990s, but meeting Sheryl Crow. We all got to hang out with Sheryl Crow at the Beech Mountain Resort music festival and the show was amazing, first of all. I mean, she's just phenomenal and it was just such a good, laidback experience. But she spent a considerable amount of time with us... ..back there and was just so generous.

[01:03:47] **Eric Bland:** She did. A solid 45 minutes when it was supposed to be just, the message from her staff was, "She'll say hello real quick. She's got to get ready for the show."

[01:03:58] **Liz Farrell:** Yeah.



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[01:03:59] **Mandy Matney:** I kept seeing her band kind of being like, "I think we got to get on." And she was like, "One more second!" Then she kept talking.

[01:04:07] **Eric Bland:** She spent so much time with you two, so I didn't want to intrude.

[01:04:11] **Liz Farrell:** We were talking about cases.

[01:04:15] **Eric Bland:** She's a true crime junkie.

[01:04:18] **Mandy Matney:** Yeah.

[01:04:18] **Liz Farrell:** It's not even true crime, it's this.

[01:04:21] **Mandy Matney:** She cares about corruption. Yeah, she really cares.

[01:04:24] **Eric Bland:** But can you imagine before a show, I mean, she's supposed to be thinking about her set, you know, we had problems with the reverb last night. She's not thinking about that.

[01:04:34] **Mandy Matney:** And there was, I mean, how many people do you think were there? Thousands. It was a big—that was a big crowd.

[01:04:41] **Liz Farrell:** Big venue.

[01:04:41] **Mandy Matney:** 10,000 people? Yeah, but not a bit of nerves about that. She didn't even, she was like, "Yeah, yeah, yeah. We'll go on stage in a minute." And it's like, "Look at all these people that are here for you. This is crazy!"

[01:04:54] **Eric Bland:** Hearing her sing, that somebody can be that dedicated and that professional, and that the feeling of "I want to entertain people who are here to see me, and I'm priv--I'm the privileged one." That she's been doing this for 40 years, and just the enthusiasm she had was amazing. I mean, she's an amazing woman. Just an amazing woman.

[01:05:17] **Liz Farrell:** Just seeing an artist I think too, that was—I needed, or I felt like I need—I feel like I need inspiration right now, and that was the perfect amount of inspiration. Because you see somebody as good and talented at something, and just



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being able to go out there and do it. Yeah, I just have so much respect for her. And just, ah. It was so evocative of like the songs, just every song that she sang, brought back memories.

[01:05:20] **Mandy Matney:** Yeah, we were both talking about this. Like, memory lane and...

[01:05:44] **Liz Farrell:** She looks amazing. Mandy kept saying it's a joy. It's pure joy that's making her look that way.

[01:05:54] **Mandy Matney:** She looks like she, you can tell that she is a genuinely happy person, and that she's just got a very calm and kind energy to her. And I think that that, I'm a big believer in—that's the number one thing to fight aging—is just happiness and being a calm presence.

[01:06:13] **Eric Bland:** She's at peace with her life.

[01:06:15] **Mandy Matney:** Right.

[01:06:16] **Eric Bland:** She's at peace with the life that she's chosen. And, you know, to her, she said, "It's my children and my music," and she said, I remember something she said, she said, "I have three more years with my kids and I'm gonna make it count." And so she, you know, she has another month. She's doing a show tonight, then there's another month before. So she's getting her kids ready for school, and I remember when we interviewed, she said she drives her kids to school. She's involved in their programs. I mean, this is a woman that is found balance, and that's hard to really find the balance of motherhood, plus their individuality of their career. And she's really done it with a plum.

[01:06:55] **Mandy Matney:** Yeah, I was just so inspired. It's just really, I mean, that's by far the biggest celebrity I've ever met in person, there's not even a comparison I don't think. But she was exactly who I thought she would be, you know? She was exactly—you hear all these stories about people meeting celebrities and their rushed behind the scenes and they're not as nice or they're stressed or blah, blah, blah--she was just amazing.

[01:07:22] **Liz Farrell:** So were her people.



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[01:07:23] **Mandy Matney:** Yeah.

[01:07:24] **Eric Bland:** I walked in there starstruck, but she genuinely was looking forward to talking with you guys. And if her set wasn't until nine o'clock, as opposed to eight-thirty, she would have talked to you guys for another half hour.

[01:07:37] **Liz Farrell:** Well, we have to talk to her more because she's a true friend.

[01:07:40] **Mandy Matney:** She's awesome. And the other thing I just want to mention that was so cool is not only did she allow us backstage, but our friends. We got to share the experience and she was more, she was genuinely happy to meet people, and was genuinely happy to take pictures, and again, the gratitude that she expressed of like...

[01:08:01] **Eric Bland:** She was a dream come true.

[01:08:03] **Liz Farrell:** So let's dedicate our cups down

[01:08:04] **Eric Bland:** To Sheryl Crow.

[01:08:06] **Liz Farrell:** And let's also to the people, the many people, that came up to us at the show to say that they love the podcast. We had so many listeners there, and thank you again to everybody who we talked to about the show, and thank you to Sheryl Crow and all the people around her, and cups down.

[01:08:20] **Eric Bland:** Cups down.

[01:08:20] **Mandy Matney:** Cups down.

[01:08:21] **Eric Bland:** Thank you for driving down from Maryland and you guys driving up. It was great to see ya.

[01:08:25] **Mandy Matney:** Yeah, great show. This cup of justice episode is created and hosted by me, Mandy Matney, with co-host Liz Farrell, our executive editor and Eric Bland, Attorney at Law, aka *The Jackhammer of Justice*. From LUNASHARK Productions.