STATE OF SOUTH CAROLINA COUNTY OF HAMPTON	IN THE COURT OF COMMON PLEAS FOURTEENTH JUDICIAL CIRCUIT
Michael "Tony" Satterfield and Brian Harriott, Plaintiffs, vs. Richard Alexander "Alex" Murdaugh, Chad Westendorf, Palmetto State Bank, Corey Fleming, and Moss, Kuhn & Fleming, P.A., Defendants.	C/A No. 2021-CP-25-00298 **Priority Matter** **Under Rule 40(h), SCRCP** **DEFENDANT MURDAUGH'S MOTION TO QUASH SUBPOENAS**

TO: RONALD L. RICHTER, JR., ESQ., ATTORNEY FOR PLAINTIFF:

YOU WILL PLEASE TAKE NOTICE that, pursuant to Rule 45(c)(3)(A) of the South Carolina Rules of Civil Procedure, Defendant Richard Alexander Murdaugh, by and through his undersigned counsel, will move on the tenth day after notice of the within motion, or at a date and time thereafter set by the Court, for an order dismissing quashing the subpoenas duces tecum served by Plaintiffs on Richard A. Harpootlian and James M. Griffin, counsel for Defendant Murdaugh, on June 7, 2023 (attached as **Exhibit A**). The grounds for this motion are that (1) the subpoenas constitute an undue burden under Rule 45(c)(3)(A)(iv) because Plaintiffs have no authority to engage in post-judgment discovery regarding Mr. Murdaugh, and (2) the subpoenas seek production of Mr. Murdaugh's communications with his attorneys about this litigation, which is protected by the attorney-client privilege and therefore requires quashal under Rule 45(c)(3)(A)(iii).

Respectfully submitted,

s/ Richard A. Harpootlian
Richard A. Harpootlian, SC Bar No. 2725
Phillip D. Barber, SC Bar No. 103421

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COMPLIMENTS OF LUNA SHARK

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1410 Laurel Street (29201)
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Columbia, South Carolina 29202
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Facsimile (803) 252-4810
rah@harpootlianlaw.com
pdb@harpootlianlaw.com

James M. Griffin, SC Bar No. 9995
Margaret N. Fox, SC Bar No. 76228
GRIFFIN DAVIS LLC
4408 Forest Drive (29206)
Post Office Box 999
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(803) 744-0800
jgriffin@griffindavislaw.com
mfox@griffindavislaw.com

Attorneys for Richard Alexander Murdaugh

June 13, 2023
Columbia, South Carolina.

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COMPLIMENTS OF LUNA SHARK

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EXHIBIT A

(Subpoenas duces tecum served by Plaintiff on Richard A. Harpootlian and James M. Griffin)

COMPLIMENTS OF LUNA SHARK

Bland Richter, LLP
Attorneys

Ronald L. Richter, Jr.
Eric S. Bland*
Scott M. Mongillo, Associate

*Also admitted in PA & FL
www.blandrichter.com

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COMPLIMENTS OF LUNA SHARK

June 7, 2023

VIA EMAIL:
Richard A. Harpootlian
rah@harpootlianlaw.com
RICHARD A. HARPOOTLIAN, P.A.
1410 Laurel Street
Columbia, SC 29201

RE: Michael "Tony" Satterfield and Brian Harriott vs. Richard Alexander "Alex" Murdaugh, Chad Westendorf, Palmetto State Bank, Corey Fleming, and Moss, Kuhn & Fleming, P.A.
CA No.: 2021-CP-25-00298

Dear Dick,

Enclosed please find our Subpoena requesting you to please produce copies of all communications with Richard Alexander "Alex" Murdaugh which involve in whole or in part:

a. Gloria Satterfield;
b. Anthony Michael "Tony" Satterfield;
c. Brian Harriott;
d. Nautilus Insurance Company;
e. The role of the Murdaugh dogs in causing Gloria Satterfield fall on February 2, 2018;
f. The matter of The Estate of Gloria Satterfield v. Richard Alexander "Alex" Murdaugh;
g. The deposit into Murdaugh's Bank of America Forge account of monies paid beneficially to the Estate of Gloria Satterfield;
h. The expenditure of funds from Murdaugh's Bank of America Forge account from monies that had been paid beneficially to the Estate of Gloria Satterfield;
i. The Confession of Judgment by Richard Alexander Murdaugh, Sr., and Stipulation entered in Action No. 2021-CP-25-00298 on May 31, 2022.

These documents are requested to be produced at our office located at 18 Broad Street, Mezzanine Level, Charleston, SC 29401, by 4:00PM on Friday, June 30, 2023.

Sincerely,

Ronald L. Richter, Jr.
RLR/ebh

cc: (email)
Eric S. Bland, esq.
Scott M. Mongillo, esq.

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COMPLIMENTS OF LUNA SHARK

STATE OF SOUTH CAROLINA

ISSUED BY THE COMMON PLEAS COURT IN THE COUNTY OF HAMPTON

Michael "Tony" Satterfield and Brian Harriott,
Plaintiffs

v.

SUBPOENA IN A CIVIL CASE

Richard Alexander "Alex" Murdaugh, Chad Westendorf, Palmetto State Bank, Corey Fleming, and Moss, Kuhn & Fleming, P.A., Defendants.

Case Number: 2021-CP-25-00298

Pending in Hampton County

TO: Richard A. Harpootlian
RICHARD A. HARPOOTLIAN, P.A.
1410 Laurel Street
Columbia, SC 29201

☐ YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME , AM

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME , AM

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents of objects:

Please see **Exhibit A** attached hereto.

PLACE	DATE AND TIME
18 Broad Street, Mezzanine, Charleston, SC 29401	June 30, 2023, 4:00 PM

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME , AM

ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

DATE 6/7/23

SCCA 254 (11/2013)

(See Rule 45, South Carolina Rules of Civil Procedure, Parts (c) & (d) on pages 2 and 3)

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COMPLIMENTS OF LUNA SHARK

RONALD L. RICHTER, JR., ESQUIRE
ESQUIRE, BLAND RICHTER, LLP
Attorneys for Plaintiffs
18 Broad Street, Mezzanine Level
Charleston, SC 29401

CLERK OF COURT/ISSUING OFFICER SIGNATURE | DATE | PRINT NAME

PROOF OF SERVICE

SERVED	DATE 6/7/23	FEES AND MILEAGE TENDERED TO WITNESS
	PLACE	☐YES ☒ NO AMOUNT $
SERVED ON Richard A. Harpootlian		MANNER OF SERVICE Email
SERVED BY Ronald L. Richter		TITLE Attorney

DECLARATION OF SERVER

I certify that the foregoing information contained in the Proof of Service is true and correct.

Executed on 6/7/23

SIGNATURE OF SERVER

18 Broad Street, Mezzanine Level, Charleston, SC 29401
ADDRESS OF SERVER

Rule 45, South Carolina Rules of Civil Procedures, Parts (c) and (d):

(c) Protection of Persons Subject to Subpoenas.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial. A party or an attorney responsible for the issuance and service of a subpoena for production of books, papers and documents without a deposition shall provide to another party copies of documents so produced upon written request. The party requesting copies shall pay the reasonable costs of reproduction.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises—or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition, or production or inspection directed to a non-party, the court in the county where the non-party resides, is employed or regularly transacts business in person, shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance; or

(ii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held; or

(iii) requires disclosure of privileged or otherwise protected matter and no exception or waiver applies; or

(See Rule 45, South Carolina Rules of Civil Procedure, Parts (c) & (d) on pages 2 and 3)

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COMPLIMENTS OF LOWCOUNTRY LEGAL SHARK

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to incur substantial expense to travel from the county where that person resides, is employed or regularly transacts business in person, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) Duties in Responding to Subpoena.

(1)(A)A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(6)(B). The court may specify conditions for the discovery.

(2)(A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, the receiving party must take reasonable steps to retrieve the information. The person who produced the information must preserve the information until the claim is resolved.

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COMPLIMENTS OF UNA SHARK

EXHIBIT A

Please produce copies of all communications with Richard Alexander "Alex" Murdaugh which involve in whole or in part:

a. Gloria Satterfield;
b. Anthony Michael "Tony" Satterfield;
c. Brian Harriott;
d. Nautilus Insurance Company;
e. The role of the Murdaugh dogs in causing Gloria Satterfield fall on February 2, 2018;
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COMPLIMENTS OF LUMA SHARK

Bland Richter, LLP
Attorneys

Ronald L. Richter, Jr.
Eric S. Bland*
Scott M. Mongillo, Associate

*Also admitted in PA & FL
www.blandrichter.com

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Phone: 803.256.9664
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COMPLIMENTS OF LUNA SHARK

June 7, 2023

VIA EMAIL:
James M. Griffin
jgriffin@griffindavislaw.com
GRIFFIN DAVIS, LLC
4408 Forest Drive
Columbia, SC 29206

RE: Michael "Tony" Satterfield and Brian Harriott vs. Richard Alexander "Alex" Murdaugh, Chad Westendorf, Palmetto State Bank, Corey Fleming, and Moss, Kuhn & Fleming, P.A.
CA No.: 2021-CP-25-00298

Dear Jim,

Enclosed please find our Subpoena requesting you to please produce copies of all communications with Richard Alexander "Alex" Murdaugh which involve in whole or in part:

a. Gloria Satterfield;
b. Anthony Michael "Tony" Satterfield;
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These documents are requested to be produced at our office located at 18 Broad Street, Mezzanine Level, Charleston, SC 29401, by 4:00PM on Friday, June 30, 2023.

Sincerely,

Ronald L. Richter, Jr.
RLR/ebh

cc: (email)
Eric S. Bland, esq.
Scott M. Mongillo, esq.

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COMPLIMENTS OF LUNA SHARK

STATE OF SOUTH CAROLINA

ISSUED BY THE COMMON PLEAS COURT IN THE COUNTY OF HAMPTON

Michael "Tony" Satterfield and Brian Harriott,
Plaintiffs

v.

SUBPOENA IN A CIVIL CASE

Richard Alexander "Alex" Murdaugh, Chad Westendorf, Palmetto State Bank, Corey Fleming, and Moss, Kuhn & Fleming, P.A., Defendants.

Case Number: 2021-CP-25-00298

Pending in Hampton County

TO: James M. Griffin
GRIFFIN DAVIS, LLC
4408 Forest Drive
Columbia, SC 29206

☐ YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME , AM

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME , AM

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents of objects:

Please see **Exhibit A** attached hereto.

PLACE	DATE AND TIME
18 Broad Street, Mezzanine, Charleston, SC 29401	June 30, 2023, 4:00 PM

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME , AM

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I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

DATE 6/7/23

SCCA 254 (11/2013)

(See Rule 45, South Carolina Rules of Civil Procedure, Parts (c) & (d) on pages 2 and 3)

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COMPLIMENTS OF LUNA SHARK

RONALD L. RICHTER, JR., ESQUIRE
ESQUIRE, BLAND RICHTER, LLP
Attorneys for Plaintiffs
18 Broad Street, Mezzanine Level
Charleston, SC 29401

CLERK OF COURT/ISSUING OFFICER SIGNATURE | DATE | PRINT NAME

PROOF OF SERVICE

SERVED	DATE 6/7/23	FEES AND MILEAGE TENDERED TO WITNESS
	PLACE	☐YES ☒NO AMOUNT $
SERVED ON James M. Griffin		MANNER OF SERVICE Email
SERVED BY Ronald L. Richter, JR.		TITLE Attorney

DECLARATION OF SERVER

I certify that the foregoing information contained in the Proof of Service is true and correct.

Executed on 6/7/23

SIGNATURE OF SERVER

18 Broad Street, Mezzanine Level, Charleston, SC 29401
ADDRESS OF SERVER

Rule 45, South Carolina Rules of Civil Procedures, Parts (c) and (d):

(c) Protection of Persons Subject to Subpoenas.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial. A party or an attorney responsible for the issuance and service of a subpoena for production of books, papers and documents without a deposition shall provide to another party copies of documents so produced upon written request. The party requesting copies shall pay the reasonable costs of reproduction.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises—or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition, or production or inspection directed to a non-party, the court in the county where the non-party resides, is employed or regularly transacts business in person, shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance; or

(ii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held; or

(iii) requires disclosure of privileged or otherwise protected matter and no exception or waiver applies; or

(See Rule 45, South Carolina Rules of Civil Procedure, Parts (c) & (d) on pages 2 and 3)

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(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to incur substantial expense to travel from the county where that person resides, is employed or regularly transacts business in person, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

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(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, the receiving party must take reasonable steps to retrieve the information. The person who produced the information must preserve the information until the claim is resolved.

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COMPLIMENTS OF LUNA SHARK

(See Rule 45, South Carolina Rules of Civil Procedure, Parts (c) & (d) on pages 2 and 3)

EXHIBIT A

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a. Gloria Satterfield;
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COMPLIMENTS OF LAWYER SHARK