

From: Skip Hoagland  
Sent: 3/8/2015 10:08:00 PM  
To: Dusty Rhoades  
Cc: T. Micah Leddy; <jtwg50@yahoo.com>; Bill Rogers; Weston Newton; Terry Finger; sarah borton; P.J. Browning; Zach Murdock; Dan Burley; mark@marksanford.com; David Bennett; Lee Edwards; Rick Caporale; Cynthia Bensch; Ashley Landess; Thenerve.org Rick; Will Folks; chip@limehouseprop.com; Haley, Nikki; Veldran, Katherine  
Subject: Re: My case review

Dusty: All your time and response are much appreciated . What's amazing to me is that all I am after is a legal ruling on the simple, clear legal question of whether the HH Chamber/CVB has to comply with current SC FOIA law. That's it. Simple question, based on a very specific law.

How is it that such a clear question becomes so complicated? This is not a murder trial or some nasty divorce case . I just want to know one thing and one thing only: Based on existing case law, including relevant SC Supreme Court rulings, does the Chamber have to comply with SC FOIA? Yes or no .

Can someone on this email thread please tell me if they know anyone in this state besides me who cares enough to help me determine this?  
And in the meantime, I will look forward to an audit being ordered by the HH Town Council and the ongoing FBI investigation already underway.

But as for my FOIA lawsuit, to me at least, the law is so clear on that it amazes me that anyone would doubt that once he or she hears the case they would not easily rule in my favor based on the clarity of the law and the existing precedents such as Weston v. Carolina Research Foundation.  
Is there anyone on this list of recipients who can help me find a lawyer who cares about this issue and will take on my case?  
Thanks.

Sent from my iPhone excuse all typos and misspellings

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On Mar 8, 2015, at 4:05 PM, Dusty Rhoades <[dustyrhoades@bellsouth.net](mailto:dustyrhoades@bellsouth.net)> wrote:

I have spent a lot of time reading about and considering whether to take over Skip's case and I have decided not to do so. My reasons include the following:

1) I think this is going to be a long case and I disagree with thinking to the contrary based on the experience I have had. I can't imagine the other side won't take every legal procedure option it can to thwart success on the case. Summary judgment will take a lot of prep time pulling together needed affidavits along with use of any beneficial depositions yet to be taken and writing lengthy briefs to argue the case.

When the case goes up on appeal, more briefs with appeal deadlines will be needed and they won't be quickly done. That applies to the Ct of App and at least the Writ of Cert asking the Supreme Court to review it (requested by your side, their side or both. Anyone taking this case on for only \$-5,000 dollars, would essentially be taking it on for free or very close to it.

2) This is a major commitment which I would prefer to take on, but I can see how quickly that dealing with it would take over far too much of my required paying practice that without, I can't help anyone. I've been through cases like this before including those in which the client has made an "occupation" regarding handling of the case. I always end up spending a tremendous amount of time answering emails, letters or discussing issues in phone calls to help the client understand options....what they are and what they aren't.....so they can make educated choices. I spend that time because I think it necessary as part of the representation.

I always have pre-depo review meetings as well as pre-hearing meetings to discuss what I want to cover and why and what the clients authorizes. I review potential questions, answers and arguments to be made, by either side....no exceptions. All of this takes a lot of time and no one else can do it properly, in my opinion, except the lawyer.

3) These cases end up requiring frequent evening and weekend time taking it away from other cases and, often, family time. Also, I need to be especially careful in what I commit to because of an unknown factor of my wife's health. She has had ovarian cancer, stage IIIc, though she is in remission now after almost not making it 2 years ago, there is a statistical 80% probability of it returning. Hopefully, it won't return and she'll be in the 20% that remains cancer free. She has to be checked every couple of months.

When she was first diagnosed about 2 and  $\frac{3}{4}$  years ago, I had to jettison several complex lengthy litigation cases, involving nursing home negligence, in order to be more available for her. That is in the back of my mind as a factor to be considered by me as to taking this on.

SUGGESTIONS:

From what I know of the case, I can easily understand why Micah wants a replacement and why that should occur. I am suggesting that Skip consider having Micah (NOT Skip) make contact with the law firm of Bland and Richter for their consideration as to taking this over. Skip should speak with them after Micah does.

The firm is well heeled financially and has a lot of experience with lawyer malpractice as well as complex business cases...especially "David and Goliath" case types. They have offices in Charleston and Columbia. Ronnie Richter is based out of the Charleston office (843-573-9900 or [ronnie@blandrichter.com](mailto:ronnie@blandrichter.com) <<mailto:ronnie@blandrichter.com>>) and Eric Bland is based in the Columbia office (803-256-9664 or [ericbland@blandrichter.com](mailto:ericbland@blandrichter.com) <<mailto:ericbland@blandrichter.com>>). I don't know Eric, but I do know Ronnie.

Skip, you should let Micah talk with one of them first because Micah can handle answering the legal procedure questions along with others that you would not be able to do. Another option is for both Skip and Micah to be involved with the initial contact. Skip, you need to understand that the few attorneys, that handle cases like yours, are very accustomed to hearing potential clients be very upset and angry, asserting a desire for "justice" and repeatedly asserting they have a great case. I would suggest you skip all of those assertions in the first contact and, instead, start with the fact that it is too much for Micah to handle at this point despite the reasons the case is very strong then list the reasons. John is especially good explaining that based on what he discussed with me.

If they aren't interested in taking on the case, consider contacting the very large deep poicketed plaintiff firm formerly known as "Ness, Motley". They are located in Mt pleasant, SC in two huge buildings. The firm handled the successful tobacco litigation for which success was anything but certain. Ron Motley died last year but the firm is now titled as "Motley Rice, LLC. The number 1-877-410-1424 toll free. The have offices in 8 states and over 100 attorneys. It is a plaintiff firm and very few plaintiff firms get anywhere close to this size.

If they ask how you came to contact them....simply tell them the truth about the situation and don't BS 'em. You will be better received. Feel free to say why I didn't take it on and why I told you to contact one of them. I regret that my current circumstances cause me to decline the case, but you should contact the other firms I mentioned, neither of which will likely have similar concerns of the case obligations. Micah....I would suggest you contact Eric Bland or Ronnie Richer TOMORROW AND NOT PUT IT OFF. dUSTY