

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HAMPTON )

IN THE COURT OF COMMON PLEAS  
FOURTEENTH JUDICIAL CIRCUIT  
CASE NO.: 2019-CP-25-

RENEE S. BEACH, as Personal )  
Representative of the Estate of )  
MALLORY BEACH, )

Plaintiff, )

v. )

GREGORY M. PARKER, INC. a/k/a )  
PARKER'S CORPORATION d/b/a )  
PARKERS 55, LUTHER'S RARE )  
AND WELL DONE, LLC, KRISTY )  
C. WOOD, JAMES M. WOOD, RICHARD )  
ALEXANDER MURDAUGH, RICHARD )  
ALEXANDER MURDAUGH, JR.; )  
RANDOLPH MURDAUGH, III, )  
Individually and as Trustee of the )  
MURDAUGH RESIDENCE TRUST 2; and )  
The MURDAUGH RESIDENCE TRUST 2, )

Defendants. )

TO THE DEFENDANTS ABOVE NAMED:

**SUMMONS**  
**Wrongful Death**  
*(Jury Trial Demanded)*

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your Answer to said Complaint upon the subscriber at his office at 265 Barnwell Highway, Allendale, South Carolina, within thirty (30) days after the service hereof, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, Plaintiffs will apply to the Court for the relief demanded in the Complaint and judgment by default will be rendered against you for the relief demanded in the Complaint.

GOODING AND GOODING, P.A.

By: s/Mark B. Tinsley

Mark B. Tinsley – S.C. Bar # 15597

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Attorneys for Plaintiff

March 20, 2019

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HAMPTON )

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RENEE S. BEACH, as Personal )  
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MALLORY BEACH, )

Plaintiff, )

v. )

**COMPLAINT  
Wrongful Death**

*(Jury Trial Demanded)*

GREGORY M. PARKER, INC. a/k/a )  
PARKER’S CORPORATION d/b/a )  
PARKERS 55, LUTHER’S RARE )  
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Individually and as Trustee of the )  
MURDAUGH RESIDENCE TRUST 2, and )  
The MURDAUGH RESIDENCE TRUST 2, )

Defendants. )

The Plaintiff alleges:

1. That she is the duly appointed Personal Representative of the Estate of Mallory Beach and that she is a beneficiary of the Estate.
2. That she and decedent were at all times relevant herein residents of the State of South Carolina.
3. Upon information and belief, Defendant Gregory M. Parker, Inc. a/k/a Parker’s Corporation d/b/a Parkers 55 (hereinafter “Parker’s”) is a foreign corporate entity which maintains agents and employees, transacts business, owns and/or manages real estate, and otherwise is connected by ownership and operation to a gas station and convenience stores located South Carolina and for whose benefit a beer and wine sales permits were issued for their business.

4. Upon information and belief, Parker's has undertaken and is charged with duties of care at law by reason of their ownership, operation, marketing, management, maintenance, alcohol sales and other exercises of control over the subject Parker's gas stations and convenience stores, including the one located at 7021 Okatie Highway, Ridgeland, South Carolina.

5. That Parker's is a for-profit corporate entity and derives substantial revenues and profits from the sale of alcohol.

6. That Defendant Luther's Rare and Well Done, LLC (hereinafter "Luther's") is, upon information and belief, a business formed and existing under the laws of the State of South Carolina with its principal place of business in Beaufort County at 910 Bay Street, Beaufort, and at all times relevant hereto owned, operated and maintained a restaurant and bar, and for whose benefit a beer, wine, and liquor sales permit was issued for the business.

7. Upon information and belief, Luther's has undertaken and is charged with duties of care at law by reason of their operation, marketing, management, maintenance, alcohol sales, and other exercises of control over the subject restaurant and bar located at 910 Bay Street, Beaufort, South Carolina.

8. That Luther's is a for-profit corporate entity and derives substantial revenues and profits from the sale of alcohol.

9. That, upon information and belief, Defendants Kristy C. Wood and James M. Wood (hereinafter "Woods") are citizens and residents of the State of South Carolina.

10. That Defendant Richard Alexander Murdaugh is a citizen and resident of Hampton County, South Carolina.

11. That Defendant Richard Alexander Murdaugh, Jr. is a citizen and resident of the Hampton County, South Carolina.

12. That Randolph Murdaugh, III is a citizen and resident of Hampton County, South Carolina.

13. That Randolph Murdaugh, III, is Trustee of the Murdaugh Residence Trust 2, which is a South Carolina trust that owns two properties (hereinafter collectively referred to as “The Island”) in Beaufort County, South Carolina.

14. That Randolph Murdaugh, III, as Trustee of the Murdaugh Residence Trust 2, exercises, and has the duty and obligation to exercise, control of and access to The Island. Furthermore, at all relevant times, this defendant knew or should have know the that The Island was being used by minors as a place to illegally consume alcohol.

15. That Defendant Richard Alexander Murdaugh, Jr. is over twenty-one (21) years of age and knowingly and willfully allowed his younger brother, who is under the age of twenty-one (21), to use his driver’s license to purchase and consume alcohol illegally. Further, it was foreseeable that his minor brother would use the license to purchase alcohol for consumption by other minors and this defendant had actual knowledge that the license was so used.

16. That, at all pertinent times herein, Defendant Richard Alexander Murdaugh had knowledge or should have known that his minor son illegally purchased and consumed alcohol on a regular basis by using or displaying the driver’s license of his adult son, Defendant Alexander Murdaugh, Jr.

17. That, at all pertinent times herein, Defendant Richard Alexander Murdaugh knowingly and willfully allowed his minor son to illegally use Defendant Richard Alexander Murdaugh, Jr.’s driver license to purchase or consume alcohol and that it was foreseeable that his minor son would purchase alcohol for consumption by other minors.

18. That, at all pertinent times herein, Defendant Randolph Murdaugh, III, knowingly and willfully allowed The Island to be used by minors under the age of twenty-one (21) to illegally consume alcohol. Upon information and belief, there was also alcohol available for consumption that was consumed by minors at The Island.

19. That Defendant Randolph Murdaugh, III also undertook a duty to not provide a safe haven for minors to illegally consume alcohol, undertook a duty not to allow minors to leave The Island in an intoxicated state, and undertook a duty to supervise minors' consumption of alcohol so as not to allow them to unnecessarily endanger themselves or others, including Mallory Beach.

20. That this Court has jurisdiction over the parties hereto and in the subject matter hereof.

21. That on or about the 23<sup>rd</sup> day of February 2019 Parker's knowingly and willfully sold alcoholic beverages to Defendant Richard Alexander Murdaugh's minor son under the age of twenty-one (21), who shared the beverages with other minors, after the minor displayed the driver's license of his adult brother, Defendant Richard Alexander Murdaugh, Jr. The agent, servant or employee of Parker's who made the sale, knew or should have known that the license used by the minor to make the purchase was not his.

22. That the minors referenced in Paragraph twenty-one (21) consumed the alcohol from Parker's at The Island.

23. That the minors referenced in Paragraph twenty-one (21) became intoxicated after consuming the alcohol illegally purchased from Parker's.

24. That it is foreseeable that a minor who illegally purchases alcohol would share said alcohol with other minors and all the minors would become intoxicated.

25. That the minors referenced in Paragraph twenty-one (21) consumed alcohol on the Island prior taking a boat to a party at the Woods' home.

26. That on or about the 23<sup>rd</sup> day of February 2019, the Woods hosted a party at their home located in Beaufort County, South Carolina, at which the same minors under the age of twenty-one (21) were knowingly and intentionally served or caused to be served alcoholic beverages. Further, the Woods knew or should reasonably have known these people were between the ages of eighteen (18) and twenty (20). Additionally, the Woods undertook a duty not to provide a safe haven for the minors to illegally consume alcohol, undertook a duty not to allow the minors to leave their home in an intoxicated state, and undertook a duty to supervise the minors' consumption of alcohol so as not to allow them to unnecessarily endanger themselves or others, including Mallory Beach,

27. That while at the Woods home, the Woods provided and/or allowed the minors to consume alcohol, despite their increasing intoxication, and despite the knowledge that upon leaving their home, the minors would operate a boat with their faculties and judgment grossly and dangerously impaired.

28. That after the minors consumed alcohol at the Woods home, one of the minors drove to Luther's by boat.

29. That two of the minors were allowed into Luther's during the late hours of February 23, 2019, and/or early hours of February 24, 2019, and the agents and employees of Luther's negligently sold and served the minors alcohol, despite their being underage and intoxicated in violation of the laws of the State of South Carolina.

30. That while the minors were at Luther's, the agents and employees of Luther's negligently continue to sell and/or serve alcoholic beverages to the minors, despite their visible

intoxication, and despite the knowledge of these agents and employees that upon leaving the establishment, one or more of the minors would likely drive an automobile or boat with their faculties and judgment grossly and dangerously impaired.

31. That after leaving Luther's, at least one of the minors was operating the boat with several passengers in Archer's Creek when the boat collided with a bridge, thereby ejecting Mallory Beach from the boat and causing catastrophic injuries to her person, which ultimately lead to her death.

32. That Defendants were negligent, negligent per se, careless, reckless, grossly negligent, willful and wanton and acted intentionally at the times and places above mentioned in the following particulars:

**As to Defendant Parker's**

- a. In selling alcoholic beverages to a patron they knew or should have known was under the age of twenty-one (21);
- b. In failing to adequately train, supervise or monitor their employees;
- c. In hiring employees who were insufficiently trained or qualified for the responsibilities of their employment;
- d. In failing to implement policies and standards regarding the responsible sale and service of alcoholic beverages or, if so implemented, in failing to insure that those policies and standards were followed by their employees;
- e. In failing to follow generally accepted standards of care applicable to the sale and service of alcoholic beverages to members of the public;
- f. In failing to use the degree of care and caution that a reasonable and prudent person would have exercised under the same or similar circumstances; and
- g. In such other and further particulars as the evidence in trial may show;



**As to Defendants Woods**

- h. In knowingly and intentionally serving, or causing to be served, alcoholic beverages to a guest under the age of twenty-one (21);
- i. In allowing the consumption of alcoholic beverages by a guest under the age of twenty-one (21);
- j. In entrusting their home to minors so as to provide a place of “safe haven” for minors to consume alcohol in violation of the law and then operate a boat in an intoxicated state;
- k. In failing to use the degree of care and caution that a reasonable and prudent person would have exercised under the same or similar circumstances; and
- l. In such other and further particulars as the evidence in trial may show;

**As to Defendant Luther’s**

- m. In selling and/or serving and continuing to sell and serve alcoholic beverages to patrons when they knew or should have known the patrons were intoxicated;
- n. In selling and/or serving alcoholic beverages to minors when they knew or should have known the minors were under the age of twenty-one (21);
- o. In failing to adequately train, supervise or monitor their employees;
- p. In hiring employees who were insufficiently trained or qualified for the responsibilities of their employment;
- q. In failing to implement policies and standards regarding the responsible sale and service of alcoholic beverages or, if so implemented, in failing to insure that those policies and standards were followed by their employees;
- r. In failing to follow generally accepted standards of care applicable to the sale and service of alcoholic beverages to members of the public;
- s. In failing to use the degree of care and caution that a reasonable and prudent person would have exercised under the same or similar circumstances; and
- t. In such other and further particulars as the evidence in trial may show;

**As to Defendant Richard Alexander Murdaugh**

- u. In knowingly and willfully allowing his minor son, under the age of twenty-one (21), to use Richard Alexander Murdaugh, Jr.'s drivers license to purchase and consume alcohol;
- v. In failing to supervise his son when he knew or should have known that the minor was using another's license to purchase and consume alcohol; and
- w. In such other and further particulars as the evidence in trial may show;

**As to Defendant Richard Alexander Murdaugh, Jr.**

- x. In knowingly and willfully providing his minor brother, under the age of twenty-one (21), with his driver's license for the purpose of purchasing and consuming alcohol by minors, including his brother;
- y. In knowingly and willfully allowing his minor brother, under the age of twenty-one (21), to use his driver's license for the purpose of purchasing and consuming alcohol by minors, including his brother; and
- z. In such other and further particulars as the evidence in trial may show;

**As to Defendants Randolph Murdaugh, III/The Murdaugh Residence Trust 2**

- aa. In knowingly and willfully providing alcohol to or allowing minors to consume alcohol on the Island; and
- bb. In such other and further particulars as the evidence in trial may show;

all of which combined and concurred as a direct and proximate cause of the injuries and damages suffered by Plaintiff herein, said acts being in violation of the statute and common laws of the State of South Carolina.

33. That the Defendants owed Mallory Beach and the public at large common law and/or statutory duties of care or undertook these duties of care.

34. That the Defendants breached their duties as aforesaid.

35. That as a result of her death the beneficiaries of Ms. Beach have endured grief, sorrow, shock, wounded feelings, mental anguish, the loss of support, love and companionship, along with other damages as allowed by law.

36. That as a direct and proximate result of the acts and/or omissions of the Defendants, Mallory Beach met an untimely death and her beneficiaries have endured grief, sorrow, shock, wounded feelings, mental and emotional anguish and anxiety, and loss of the decedent's support, love, companionship and consortium.

WHEREFORE, Plaintiff prays for a joint and several award against the Defendants for actual and punitive damages, costs and attorneys fees.

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March 29, 2019