

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF COLLETON)	CIVIL ACTION NO.: 2021-CP-15-00603
)	
PETERS, MURDAUGH, PARKER,)	
ELTZROTH & DETRICK, P.A.,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Order Granting Plaintiff's
)	Motion for Summary Judgment
)	
RICHARD ALEXANDER MURDAUGH,)	
SR.,)	
)	
<i>Defendant.</i>)	
)	

This matter came before the Court on Plaintiff's Motion for Summary Judgment which was heard in open court at 9:30 a.m. Wednesday, October 12, 2022, at the Beaufort County Courthouse. This Court has exclusive jurisdiction of this matter pursuant to previous Order of the South Carolina Supreme Court. The Plaintiff was represented by attorney Jamie Walters and the Defendant was represented by attorney Jim Griffin. The hearing was observed via web-ex by Co-receiver for Alex Murdaugh, Peter McCoy, and counsel for the Co-receiver, Amy Hill.

This action was filed on October 6, 2021, alleging breach of employment contract and conversion. The Defendant filed an answer on November 12, 2021, asserting his privilege against self-incrimination guaranteed under the United States and South Carolina Constitutions and, as such, refused to substantively answer the allegations in the complaint. In support of the present motion is the Affidavit of Lee D. Cope, Esq. which was filed with the Court and provided to Defense counsel prior to the hearing. The Plaintiff served Requests for Admission more than 30 days before the hearing which were not answered by the Defendant and as such are deemed admitted.

Plaintiff's counsel submitted a copy of the filed answer, Requests for Admission, affidavit of Lee Cope, and asked the Court to take judicial notice of the Order of the South Carolina Supreme Court which ordered the disbarment of Defendant. In response counsel for Defendant informed the Court that the Defendant did not consent to the Motion for Summary Judgment but was not able to offer evidence to refute Plaintiff allegations due to his assertion of the privilege against self-incrimination.

Because the Defendant cannot offer evidence sufficient to create a material issue of fact the Court is left with no choice but to grant the Motion for Summary Judgment. As such the Court hereby grants Plaintiff's Motion for Summary Judgment finding as follows:

1. That Defendant breached the employment agreement with Plaintiff and in doing so breached his duty of loyalty to his employer by misappropriating client monies and money belonging to Plaintiff.
2. That the Defendant converted Plaintiff's funds to his personal use.
3. That Plaintiff has incurred damages as a result of Defendant's breach of contract and conversion of money that did not belong to him.
4. Counsel for the Defendant requested an opportunity to review Plaintiff's damages submission which was agreed to by the Plaintiff. As such the Plaintiff shall provide to the Court and counsel damage submissions within seven days of this Order. The Defendant shall have five days to submit any objection or comment to the Court after which the Court will consider the issue of actual and punitive damages and enter final judgment.

IT IS SO ORDERED.

Bentley Price
Presiding Judge