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Shareholder

CONFIDENTIAL ATTORNEY WORK PRODUCT

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VIA E-MAIL ONLY

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Re: *Estate of Satterfield v. Alexander Murdaugh*
Claim No. 4151474
C&L File No. 002002-00100

SECOND COMPREHENSIVE REPORT

Dear Caitlin and David:

I hope you are well. Please allow this correspondence to serve as my Second Comprehensive Report in the above-referenced matter. It will follow the requested reporting format. New information, since my last report, is noted in **bold** type.

I. Further Handling

Investigation of the claim is ongoing. **I recently obtained medical treatment records for Decedent Gloria Satterfield. Depending upon whether time permits and whether the claim does not resolve, it would be useful to have an expedited record review performed by a physician with expertise in emergency medicine and/or internal medicine, to evaluate whether Ms. Satterfield's health on the incident date played a role in her fall down the stairs.**

I have not yet placed the dog trainer on notice of a potential contribution claim by Murdaugh. **Mr. Murdaugh considers that improvident. I therefore want to discuss that with you further.**

Claimant counsel has made a policy-limits settlement offer with an acceptance deadline of November 12th. We need to decide how to respond to that demand, and whether to seek enlargement of his imposed deadline.

II. Executive Summary

Decedent Gloria Satterfield worked as a contract housekeeper and domestic assistant to the insured, Mr. Murdaugh and his family. Mr. Murdaugh is a successful personal injury attorney in Hampton, South Carolina, and he owns a second home on rural property in neighboring Colleton County. On the morning of February 2, 2018, Satterfield drove alone to that Colleton residence to see Mrs. Murdaugh and to pick up a check in payment for Satterfield's past services. Satterfield walked alone up the front brick steps of the house, and allegedly fell backward down the steps due to being pushed or tripped by one or more of Murdaugh's four pet dogs which were roaming free at the time. No one witnessed Satterfield's fall. Mrs. Murdaugh was inside the house, heard a great commotion on the front porch, came out the front door, and found Satterfield lying on the steps, bleeding from an open wound to her head. **Satterfield told Mr. Murdaugh, who arrived soon after, that the dogs had "tripped her up." Satterfield made no other statement to an witness about involvement of dogs. Satterfield told medical staff at a hospital later that she did not know how or why she fell. Satterfield was airlifted to a hospital in Charleston where she was admitted for treatment of multiple rib fractures, a pulmonary contusion, and a subdural hematoma. She had surgery for the rib injuries. The subdural hematoma was inoperable. Satterfield initially showed improvement, but then began a decline and was placed on a ventilator. She contracted pneumonia, had a heart attack and lost pulse, was revived but left in a deep coma, and her family elected to stop lifesaving measures. She was moved to hospice and died on February 26, 2018. Satterfield incurred medical treatment charges in excess of \$650,000. She is survived by two adult sons, one of whom is mentally disabled. Her estate and both sons are represented by counsel who has advised of his intent to bring a lawsuit against Mr. Murdaugh. The law applicable to this matter provides that the owner of a pet dog is strictly liable where the dog jumps on a visiting guest and causes injury. **Liability is probable.****

III. Relevant Background Facts

The insured Alexander Murdaugh is a third-generation lawyer practicing with his family's law firm in Hampton, South Carolina. The firm - Peters, Murdaugh, Parker, Eltzroth, & Detrick - is a preeminent plaintiff-only practice. The firm and its partners have a favorable reputation in that area of the state due to the firm's experience and influence and goodwill created in the county. The firm also has an office in Colleton County. Mr. Murdaugh's primary residence is in Hampton. Murdaugh and his wife own the second residence in nearby Moselle, which is in a rural part of

Colleton County. That residence is typically used by them on weekends and holidays and includes several hundred acres of land - much of it swamp - used for hunting. That residence's address is 4157 and 4147 Moselle Road, Islandton, South Carolina 29929. **At the time of the incident in February 2018, Mr. and Mrs. Murdaugh were staying at the Moselle residence most of the time.**

Gloria Satterfield worked for 20 years as a housekeeper and personal assistant to Mr. Murdaugh's mother and to Mr. Murdaugh and his wife Maggie. There was no written employment agreement and Satterfield could be considered an at-will independent contractor of Mr. and Mrs. Murdaugh. The Murdaughs paid Satterfield \$10.00 per hour. Satterfield was not considered a full-time employee of the Murdaughs and no taxes were deducted from her paycheck. Satterfield would do household chores, babysitting of their children, run errands, and act as a server at parties hosted by the Murdaughs. Satterfield spent considerable time with the Murdaugh family and, as is common in South Carolina, was considered "part of the family" in a loose sense. Satterfield has no actual kinship to the Murdaughs, however. Satterfield had no other employment. Mr. Murdaugh considered Satterfield to be very trustworthy and dependable. Satterfield did not wear glasses or contacts, **but did use "reading glasses" for reading.** Satterfield was widowed and lived in Furman, South Carolina (also in Hampton County) with her adult son Bryan, who has mild retardation and is not self-reliant. **Satterfield's other adult son, Tony, is a registered nurse in Beaufort, South Carolina. Tony is the personal representative of her estate.**

The Murdaughs own four pet dogs, several of which have been to obedience training and have been trained for hunting and sporting activities:

- "Bubba" is a six year old male yellow Labrador Retriever, not neutered, and described as affectionate and calm. He had been to hunting and obedience training and is obedient. He weighs around 90 pounds. Veterinarian records indicate receipt of annual shots and annual exams;
- "Bourbon" is a 1.5 year old female chocolate Labrador Retriever, described as hyper-active and difficult to command and control. She had been to hunting and obedience training. She weighs around 55 pounds. While veterinarian records are brief, the records indicate regular exams and prescribed heartworm preventative medicine;
- "Blue" is a one year old male Labradoodle (and is Bubba's son), described as hyper-active and constantly escaping from his kennel, and difficult to command and control. He weighs around 65 pounds; and
- "Sassy" is a six month old, female German Short Hair Pointer puppy. She was acquired in January and has not had training. She weighs around 25 pounds and has a calm disposition.

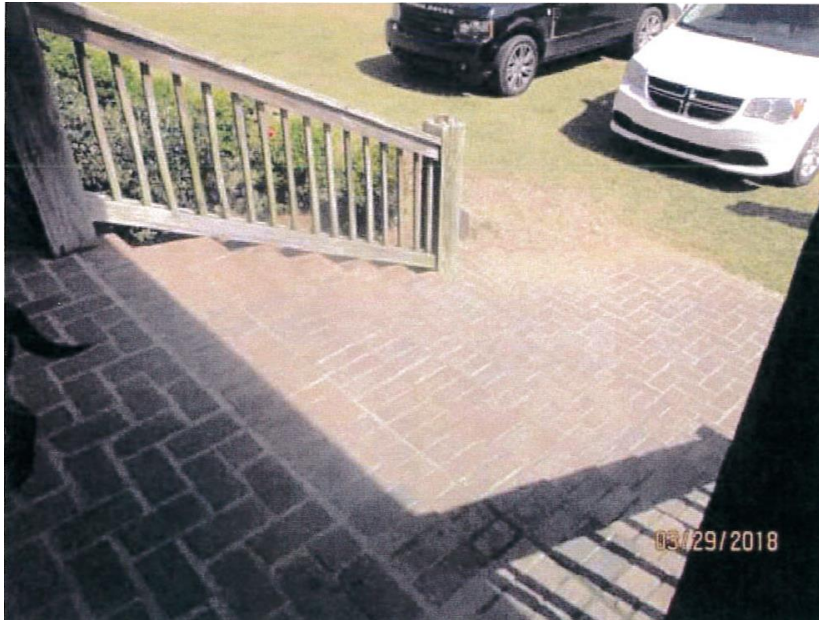
Mr. Murdaugh described that normally Bourbon and Blue would be kept in dog kennels at the property and did not roam free. The property has an electric (underground) dog fence system to keep the dogs close to the house. Murdaugh described that whenever all of the dogs were out of the kennel, and in the presence of any people, the dogs would approach the people in a friendly,

normal and sociable way and they tended to compete with each other for attention of people. He described that if someone showed praise or attention to one dog, the other dogs would get jealous and escalate efforts to gain the person's attention.

Bourbon was sent to Brett Lawson, a dog trainer in Jasper County, for obedience and hunting training. A goal of the training was to calm the dog down. Murdaugh felt the training was helpful. While dates are unclear, Bourbon was picked up from obedience training a day or just a few days before the subject incident. Below is a photograph of Bourbon.



On the incident date, Mr. Murdaugh left from the Moselle house to go to work around 8:00 a.m. His son Paul, age 19, was inside the house. His wife Maggie and his son Paul were inside the house. A property caretaker, Ronnie, was at the property but not in view of the house. Satterfield drove to the house, to pick up a paycheck, parked, and apparently was walking up the front steps. Below are two photographs of the subject stairs at the front.



I have interviewed Alex Murdaugh, Maggie Murdaugh, and Paul Murdaugh.

Alex Murdaugh

Alex left the house that morning at about 7:45 to go to his office in Hampton. He had been at work about two hours and got a call from his wife Maggie who said that Satterfield was injured at the house. Alex drove back to the house. He arrived before EMS did. He found Satterfield sitting on the brick landing at the base of the steps. She was semi-conscious, knew

who she was, and had blood on her head and face. There was a pool of blood on the brick landing. Satterfield indicated something to him about “the dogs tripped her up.”

EMS arrived and took over care. EMS debated whether to have a helicopter land in the community somewhere to transport Satterfield to a trauma center. EMS decided to drive Satterfield to Colleton Medical Center in Walterboro, South Carolina, about 30 minutes away, to put her on a helicopter there. Alex followed the ambulance to Walterboro. He was given Satterfield’s purse just before she was put on the helicopter. Alex drove back to his house in Moselle. He attempted to call and text Satterfield’s brother but did not speak with him.

Alex told me that he had heard, from one or more of Satterfield’s relatives he cannot really recall, was that Satterfield had reported that “the dogs tripped her up.”

Alex never visited Satterfield in the hospital.

Alex attended Satterfield’s funeral.

Margaret “Maggie” Murdaugh

I interviewed Maggie Murdaugh by telephone about two weeks ago. Maggie described that the morning of the incident, she was in bed asleep. Her son Paul was asleep in his bedroom. Maggie expected Satterfield to arrive at the house at some point that day. The four dogs were outside the house and were seldom let inside the house. The chocolate lab, Bourbon, had just been picked up from obedience training a few days before.

Two employees, Ronnie Freeman and Travis Martin, were on the property working but were not near the house.

Maggie heard the dogs barking in an unusual tone, as if something had happened. She went out the front door and found Satterfield lying on her back, head toward the bottom of the steps, with a bleeding head wound. Satterfield was not carrying any objects. Satterfield’s eyes were open, she was conscious, and was mumbling “gibberish.” Satterfield did not know what happened. Maggie shouted “Oh my God!” The four dogs were walking near Satterfield. Maggie’s son Paul came outside. Ronnie Freeman and Travis Martin came up to the house. Maggie called 911 and sent Travis was sent to the highway to direct EMS when they arrived. No one rendered first aid before EMS arrived. Maggie put all of the dogs inside the house.

Alex Murdaugh arrived before EMS.

Colleton County EMS (an ambulance and a fire truck) arrived and took over care of Satterfield. Satterfield told them her name and said the current President is “Bill Clinton.”

Maggie tried to call Satterfield's son Tony and Satterfield's sister Ginger. Tony called back and was told Satterfield was injured and being taken to a hospital.

EMS initially planned to drive Satterfield to a recreational field a few miles away, for a helicopter to land and transport Satterfield to Charleston. They decided not to do that and instead, EMS drove Satterfield to Colleton Regional Medical Center in Walterboro, South Carolina, about 30 miles away, to meet a helicopter there. Maggie and Alex drove separate vehicles. Maggie drove straight to Trident Hospital in North Charleston, where Satterfield arrived and was admitted. Maggie met Satterfield's relatives Tony, Sandra (another sister) and Ginger at the hospital. Maggie saw Satterfield in the ICU, she was sleeping but occasionally woke and stated her head hurt and she was cold. Maggie said she never visited Satterfield alone. Maggie recalled that at the time of Satterfield's admission it was the peak of flu season and patients were on gurneys in every hallway. Satterfield never told Maggie why Satterfield fell.

Maggie said that Satterfield's relatives told Maggie that "the dogs tripped Gloria up." Maggie said she visited Satterfield about 5 or 6 times and that Satterfield was always "two steps forward, but one step back" in her recovery. Eventually Maggie knew that Satterfield was declining and near death and Maggie was not surprised by that. When Satterfield did, the family called Maggie to let her know. The family never discussed any legal issues or made accusations to Maggie or Alex.

Maggie said that the chocolate lab Bourbon was "just horrible" and always whining, seeking attention, and getting excited. Maggie said it was not uncommon for the four dogs, who were friendly to visitors, to "get under people's feet" whenever people came to the house.

Maggie said that Satterfield knew the four dogs and had never experienced any problems with them. Maggie said that Satterfield had no perceived health problems that made her unsteady when standing or walking.

I asked Maggie what she thinks happened in the incident, and she believes one or more of the dogs got in Satterfield's way as Satterfield was coming up the steps.

Paul Murdaugh

Paul is the son of Alex and Maggie Murdaugh. I interviewed him telephonically about two weeks ago. His date of birth is April 14, 1999. He lives with his parents and is a college student, enrolled at University of South Carolina, Salkehatchie Campus, in Allendale, South Carolina.

At the time of the fall incident, Paul was asleep in his downstairs bedroom. He heard the dogs barking, which was typical when someone was coming up the driveway. He heard his

mother call to him and knew something was wrong. He went on the front porch and saw Satterfield had fallen off the front steps. Maggie Murdaugh was rushing to get a telephone. Satterfield's feet were on the second or third step from the bottom and she was lying on her back. She was bleeding from a head wound and blood was on the brick landing area. Satterfield was awake, making weird noises, and not making any sense. Paul did not try to talk with her. Paul remembers that his father Alex arrived and asked what happened and that Satterfield "said something about dogs." Satterfield started throwing up and so Alex and Paul sat her up while they waited for EMS to arrive. EMS arrived and asked Satterfield her name, which Satterfield was able to give.

Paul has not spoken with Satterfield's relatives about the incident. He did not attend the funeral.

Social media was harvested for Ms. Satterfield's son Tony, who is a nurse in Beaufort, South Carolina. Tony Satterfield's Facebook Page is largely public, with several posts on updates of Ms. Satterfield from the time of the subject incident to her death. On February 2, Tony reported in a Facebook post that Ms. Satterfield fell and hit her head resulting in a hematoma. She was flown to Trident Medical and treated for a hematoma and broken ribs. At the time, he reported that Ms. Satterfield was responding. Over the next week, he reported on Ms. Satterfield's condition, and that the hematoma was going down. Ms. Satterfield had surgery to place a plate near her ribs for stabilization on February 5. On February 10, Ms. Satterfield was placed on bipap machine due to low oxygen levels. On February 11, Tony reported that Ms. Satterfield was transferred back to ICU for closer observations. She was observed for the next week and reported that she was attempting to speak, her vitals remained on the edge, and the doctors were continuing monitoring for whether Ms. Satterfield needed to be placed on life support to maintain her vitals. On February 18, Tony reported that PT came and met with Ms. Satterfield and she attempted to sit on the side of the bed. She was to undergo a swallow test on February 19. A February 20 post stated that Ms. Satterfield's heart stopped and she was revived by CPR and placed on a ventilator. On February 22, Tony reported that Ms. Satterfield was still on a ventilator with no gag reflex, but reported good labs and continued monitoring. He also noted that she had opened her eyes on few occasions but it was unknown if it was due to brain activity. On February 25, Tony reported that an MRI and EEG were performed, showing a great amount of blood in the brain, causing her brain to shift back and forth. He reported in a second post on February 25 that Ms. Satterfield died.

Based on an ISO report, Satterfield was in a motor vehicle accident of some sort on February 1, 2018, the day before the subject incident. According to the report, Satterfield's vehicle struck a parked car. We do not have details about that event yet, and Mr. Murdaugh was not aware of it until I mentioned it. He believes that would have been a low-impact accident, else Ms. Satterfield would have mentioned it to him and would have called him for legal guidance.

Satterfield is survived by two adult sons. Bryan lived with her in Hampton County and Tony, mentioned above, lives in Beaufort County. Tony is the estate representative. Bryan is mentally

disabled and has not worked outside the home. He was dependent on Ms. Satterfield for support. An estate has been opened in Hampton County.

We received some of Satterfield's medical records from claimant counsel on October 29th. Counsel basically provided the CAREflight records and the Trident hospital records, including bills. He did not provide some records I had requested earlier, including Colleton County EMS records, Satterfield's personal physician's records, records for earlier and unrelated treatments at local hospitals we are aware of, or pharmacy records.

I have completed an initial review of the CAREflight and Trident Hospital records. Satterfield had a significant history of chronic kidney disease and high blood sugar. Whether that contributed to her fall at the Murdaugh's house I cannot tell. There is no reference in any medical record of how and why Satterfield fell, only that she fell from "standing height" down a few stairs. There is no reference to dogs causing her fall. The admitting emergency doctor's note state: *"She does not know why she fell."*

In the fall, she sustained a right-sided head laceration, a right sided subdural hematoma, a traumatic brain injury, multiple left-side posterior rib fractures, a partially collapsed lung, and a pulmonary contusion. Her Glasgow Coma score per CAREflight was 14, which is abnormal and suggests a head injury (15 is normal). As you may know, a traumatic brain injury can cause amnesia of the pre-incident activity and some post-incident activity.

Whenever older ladies have a fall I am curious about their serum sodium level. Satterfield's level was 136 as charted by CAREflight, which is the very bottom of the 'normal' range. Her serum sodium level at Trident Hospital was 135. It is unclear whether IV's administered by EMS would have affected that reading. But, hyponatremia conceivably could have been a cause of Satterfield's fall.

At Trident Hospital she had surgery to repair her broken ribs and to reconstruct her chest wall, and to remove significant blood in her chest cavity. The SDH was evaluated and determined to not be operable. Doctors also suspected but never located a bowel perforation. She developed a pleural effusion and already had the partially-collapsed left lung. She had bilateral chest drains. There is charting by radiology to the effect that at one point her endotracheal tube was positioned too far in (touching the carina) and that an arterial line was in the wrong place, both of which eventually were rectified. Basically she had several severe injuries being managed which together created a greater risk of a downward decline. After a few days she was moved out of the ICU, she appeared by nurse observation to be doing better, then she declined, and was returned to the ICU and eventually placed on a ventilator. She developed a pneumonia of unknown origin; although doctors were aware of sinusitis they never diagnosed the source of pneumonia. She developed fluid in her lungs and had a heart attack and coded. She appears to have sustained anoxic brain injury and went into a deep coma. Her brain activity was evaluated by EEG and the family was told

she had a very slim chance of ever waking up. She removed from life support at request of the family, was moved to hospice briefly, and died. It appears that her right sided SDH never subsided or cleared, and she continued to have some amount of midline shift in her brain the entire course.

Attorney Cory Fleming, who is a partner with the Moss, Kuhn, and Fleming law firm in Beaufort, South Carolina, has been retained by claimants. Fleming is a very capable attorney and focuses his practice on personal injury and criminal defense. I recently settled a less serious slip/fall case with Mr. Fleming. Alex Murdaugh worked at Mr. Fleming's law firm a few years after law school – twenty years ago - before Murdaugh joined his current firm in Hampton.

Mr. Murdaugh does not want to be sued over this matter if practical and possible to avoid that, as he sees that a wrongful death lawsuit would be detrimental to him personally and professionally in that small, rural community.

Venue of any filed lawsuit is a key issue. If suit were to be filed, it may be filed in Colleton County (where the incident and Satterfield's injury occurred) or in Hampton County (where the Murdaughs reside.) See S.C. Code Ann. § 15-7-30(C) (stating a civil action against a resident individual defendant must be brought and tried in the county in which the defendant resides or where the most substantial part of the alleged act or omission giving rise to the cause of action occurred). It is highly likely we could get a suit venue transferred from Colleton County to Hampton County. Both of these counties sit within the Fourteenth Judicial Circuit in South Carolina. The Fourteenth Judicial Circuit is known to be a plaintiff-friendly circuit. Hampton County is among the most pro-plaintiff trial venues in South Carolina, largely because of the influence of Mr. Murdaugh's law firm in pursuing cases there. Colleton County is not considered quite as plaintiff-friendly as Hampton County. Given Mr. Murdaugh's involvement as a party, not as an attorney for a party, I tend to think Mr. Murdaugh would be very favorably viewed by a jury in Hampton County or in Colleton County.

Absent a case being designated complex, cases are not assigned to particular judges in South Carolina. The Fourteenth Circuit has two resident judges, Judge Perry Buckner and Judge Carmen Mullen. These judges know Mr. Murdaugh and Mr. Fleming well.

IV. Reserves and Budgeting

As articulated in our past reports, we still recommend setting loss reserves at the policy limits. It is our understanding the stated coverage amount for the Murdaugh's homeowners policy is \$500,000, subject to any reservations or exclusions.

As to defense expenses, the estimated cost to finish the investigation, evaluate the claim, and to attempt to resolve it through pre-suit negotiations in a pre-suit mediation, without a suit being filed,

to be approximately \$25,000. The estimated cost to finish the investigation, evaluate the claim, conduct pre-suit negotiations, and defend a suit to a litigated result at the trial level is approximately \$125,000.

To date, billed fees and expenses are \$9,015.00; unbilled fees and expenses are \$300.00.

V. Current Evaluation

The claim investigation is not entirely complete. While there were no eyewitnesses to Satterfield's actual fall at the Murdaugh's home, circumstantial evidence available, together with Satterfield's post-incident statement to Murdaugh and to relatives, suggest the insured's dog or dogs were loose, were near Satterfield, and could have caused Satterfield to trip and fall down the steps and sustain her head and bodily injuries, which were a cause of her later death. I would characterize liability based on what is known at this point as probable but not clear and convincing. I think a medical review to verify Satterfield did not fall from a medical symptom would be very useful.

As previously reported, the statute controlling a cause of action related to a dog jumping on a person imposes strict liability on owners. Elmore v. Ramos, 327 S.C. 507, 489 S.E.2d 663 (Ct. App. 1997). A dog's propensity for aggression, or past attacks on people, does not have to be established and probably is not relevant to this cause of action. There is no comparative negligence to be asserted against Ms. Satterfield. Rather, we would be contesting any claim on the basis of causation relative to Ms. Satterfield's injuries and resulting death, i.e., whether the dogs caused Ms. Satterfield to fall and suffer the alleged injuries and ultimately her death.

The damages expected to be claimed are extensive. As to a Survival claim, the damages to be claimed would include almost \$700,000 of medical treatment charges and Satterfield's significant pain and suffering at the accident scene and in a hospital for several weeks. Claimed damages for the Survival claim are thus estimated at perhaps \$1,000,000. As to a Wrongful Death claim, those damages to be claimed would include Tony Satterfield's grief and loss of association with his mother for over 20 years, perhaps valued at a total of \$1,000,000; and Bryan Satterfield's grief and loss of association with his mother for over 20 years, and also the loss of partial financial support from her while he is disabled, perhaps valued at a total of \$1,300,000. The total damages claimed could thus be \$3,300,000. (And again, there is no comparative fault defense to a strict liability statutory cause of action.)

Previously I indicated that I did not believe that claimants would make a settlement demand to Brit for the \$500,000 coverage limits alone and to fully release the Murdaughs. However, that appears to be their proposal now, which I need to confirm this week.

I will be glad to discuss this matter with you further.

Caitlin Crist
David Patrick
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Sincerely,

/s/ RSWjr

R. Scott Wallinger, Jr.
Shareholder