

5. That the Personal Representatives also filed an Application for Appointment in the Probate Court and were informally appointed by the Probate Court as the Personal Representatives of the decedent's Estate.

6. That Alfred A. Bradley, Albert H. Dallas and David G. Cannon were allegedly named as the Co-Trustees (the "Co-Trustees") of the purported James Brown Irrevocable Trust dated August 1, 2000 (the "Trust").

7. That the Petitioner avers, as the children and grandchildren who have also filed an Emergency Petition have similarly alleged, that the alleged Trust was never properly funded; and that, assuming arguendo that it was funded, the Co-Trustees have failed to maintain such trust property separate and apart from other assets of one of the purported beneficiaries of the trust, the decedent; have mismanaged and otherwise dissipated assets and income of the Trust for their own benefit to the detriment of the beneficiaries of the Trust; have failed to account to the beneficiaries of the Trust according to law; and have otherwise failed or refused to perform the duties pertaining to the office of the alleged Co-Trustees (and as is set forth in the affidavit attached as "Attachment 1").

8. That the Petitioner avers that the Personal Representatives will be charged with the task of investigating the actions and alleged improper conduct of the Co-Trustees and will be unable to do so because they cannot properly investigate themselves.

9. That the Petitioner further avers that she has been improperly restrained from entering the marital home to obtain her own personal property located in the marital home and that the Personal Representatives have entered the marital home on numerous occasions and removed items of personal property that may belong to the Petitioner (and as is set forth in the affidavit attached as "Attachment 1").

10. That the Petitioner further avers that the Personal Representatives have additional conflicts of interest as creditors asserting claims to large sums of money allegedly due from the decedent or his companies and that the Personal Representatives are in the process of attempting to sell the decedent's catalog of music for far less than its true value, the proceeds of which sale appear to be split among the decedent and the Personal Representatives in their individual capacities in a manner that reveals the Personal Representatives' conflict of interest.

11. That based on the actions and conflicts of interest of Alfred A. Bradley, Albert H. Dallas and David G. Cannon in their individual capacities and their capacities as Co-Trustees, the Petitioner alleges that said individuals as Personal Representatives are incapable of complying with their duties to preserve the Estate and to secure its proper administration and the Petitioner requests that the Court appoint a Special Administrator, pursuant to S.C. Code Ann § 62-3-614.

12. That based on the actions of the Personal Representatives in their individual capacities and their capacities as Co-Trustees, an emergency exists pursuant to S.C. Code Ann § 62-3-614(2).

WHEREFORE, the Petitioner prays (a) that the Court hear her Petition at the hearing set for February 9, 2007, her Petition being an emergency Petition within the meaning of S.C. Code Ann § 62-3-614(2); (b) that the Court appoint a Special Administrator pursuant to S.C. Code Ann § 62-3-614 and that such Special Administrator be given the power to preserve the Estate and to secure its proper administration and to conduct the administration of the Estate unless and until otherwise restricted by the

Court; (c) that, pursuant to S.C. Code Ann § 62-3-607, the Court restrain and enjoin the Personal Representatives from making distributions from or exercising any power or authority related to the Estate or the Trust for such period of time the Court deems proper or unless and until otherwise ordered by the Court; and (d) that the Court grant the Petitioner access to the marital home to obtain her personal property; and (e) that the Court grant such other relief that the Court deems just and proper.

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