

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION**

IN RE:RECEIVER FOR) Civil Action No. 8:12-cv-2078-JMC
RONNIE GENE WILSON AND)
ATLANTIC BULLION & COIN, INC.)

PETITION FOR A RULE TO SHOW CAUSE

Counsel for the Receiver, Beattie B. Ashmore, appointed by this Court most recently pursuant to a February 14, 2013 Order (“Court Order”) petitions the Court for a Rule to Show Cause why Ed Atwell (“Atwell”) should not be ordered to repay funds that represent ill-gotten monies of the fraudulent investment scheme orchestrated and carried out by Ronnie Gene Wilson (“Wilson”) and Atlantic Bullion & Coin, Inc. (“AB&C”). Based upon the reasons set forth below, the Receiver submits that the Court should grant the Receiver’s Petition for a Rule to Show Cause.

PROCEDURAL BACKGROUND

On July 30, 2012, Ronnie Gene Wilson (“Wilson”) and Atlantic Bullion & Coin, Inc. (“AB&C”) pled guilty to two counts of mail fraud stemming from their involvement in a criminal Ponzi scheme involving hundreds of victims and millions of dollars. *See United States v. Ronnie Gene Wilson, et al*, 8:12-cr-320-JMC. Pursuant to the Court Order and related to the above noted criminal matter, the Receiver was tasked with assuming management and control over all the financial and business affairs for a number of individuals and companies (collectively “AB&C Receivership Entities”). The Court Order

requires the Receiver, among other things, to locate and manage assets previously acquired by and/or in the name/possession of the AB&C Receivership Entities. In addition, the Court Order directs the Receiver to take whatever actions necessary for the protection of investors, including, but not limited to, noticing depositions of certain individuals and initiating actions against individuals or companies to whom monies or assets were transferred that are directly traceable to the unlawful Ponzi scheme run by Wilson and AB&C. *See* February 14, 2013 Court Order at 2-3 & 7.

FACTUAL BACKGROUND

By way of background and as it relates to Atwell's connection to the fraudulent investment scheme orchestrated and effectuated by AB&C, the Receiver offers the following facts. As part of the fraudulent investment scheme, Wilson, through his company AB&C and other agents, recruited individuals to purportedly invest in the purchase and sale of silver holdings. Investors were promised high rates of returns on their investment. Some investors received substantial returns and profits through payments of ill-gotten gains from AB&C while other investors lost large sums of money.

During the time preceding and during the Ponzi scheme, Atwell and his then wife Tracy Neily ("Neily"), an AB&C Receivership Entity, operated at the same or different times an investment/insurance business(s) under the names Tracy and Ed, Inc. ("T&E"), Professional Planning of Easley, LLC ("PPE") and Professional Planning of Greenville, LLC ("PPG") ("collectively PP")¹. In or about 2008, Atwell was convicted of tax fraud and was incarcerated for a period of approximately three and a half years. Prior to his incarceration,

¹ All of these entities are either named specifically or included by definition as AB&C Receivership Entities in the Court Order.

Atwell sent a number of his clients to Wilson & AB&C, who upon information and belief profited from these perceived investments and would be subject to claw-back claims by the Receiver.

During Atwell's incarceration, Tracy Neily began encouraging the clients of PP to invest with Wilson and AB&C. In fact, PP moved its office for a short time to a space immediately adjacent to that of AB&C. As a result of either his or Neily's involvement with Wilson and AB&C, records indicate that Atwell received approximately \$1.6M either directly or indirectly through monies paid to T&E, PPE, PPG or the Atwell Family Trust, all AB&C Receivership Entities. *See* Spreadsheets reflecting monies received attached hereto as Exhibit A. There is no indication any portion of these ill-gotten funds received by Atwell were the result of his own financial investment, but rather received through either his or Neily's active participation in or promotion of the AB&C investment program.

LEGAL DISCUSSION

"A Receiver may proceed summarily to recover money belonging to the receivership by petition to the appointing court for an order to show cause against a possessor not a party to the original action." *United States v. Arizona Fuels Corp.*, 739 F.2d 455, 458 (9th Cir. 1984). "The district court has broad powers and wide discretion to determine the appropriate relief in an equity receivership." *SEC v. Lincoln Thrift Ass'n*, 577 F.2d 600, 606 (9th Cir. 1978). "At common law, where property has been obtained by fraud, a court in equity has jurisdiction to reach the property either in the hands of the original wrongdoer, or in the hands of any subsequent holder and to convey that property to the one who is truly and equitably entitled to the same." *FTC v. Network Serv. Depot, Inc.*, 617 F.3d 1127, 1142 (9th Cir. 2010).

In *SEC v. Vassallo*, the United States District Court for the Eastern District of California discusses, albeit in an unpublished opinion, the concept of disgorgement in the context of a securities violation case. *See SEC v. Vassallo*, 2011 U.S. Dist. LEXIS 98418 (E.D. Ca. 2011). In so discussing, the court parallels the underlying common law equity principles that provide the foundation for disgorgement actions. Such a discussion is relevant to this petition in that the Receiver seeks to recover funds that flowed from a fraudulent investment scheme to non-parties and those non-parties have no legitimate claim to the funds. *See id.* at * 9.

As set forth above, Atwell is in possession of funds that flowed directly from the illegal activity that is the subject of the underlying criminal case. The Receiver has, without success, attempted to depose Atwell to further investigate the monies involved but has been unable to do so due to Atwell's unfounded refusal to submit to a deposition. On February 4, 2014, Walt Tollison ("Tollison") as counsel to the Receiver in all matters corresponded initially by email with Kim Thomason ("Thomason"), counsel for Atwell, inquiring about dates upon which to set a deposition for Atwell. *See* February 4, 2014 emails attached hereto as Exhibit B. Thomason has been representing Atwell since the appointment of the Receiver and met with Tollison on August 6, 2012 to discuss Atwell. In response to the February 4, 2014 correspondence, Thomason wrote on February 6, 2014 indicating that she would not be available until March but made no mention of any medical problems that would prevent Atwell from appearing. *See* February 6, 2014 letter to Tollison attached hereto as Exhibit C.

Thereafter, on February 7, 2014, pursuant to the Court Order, the Receiver noticed Atwell to appear for a deposition on March 13, 2014. *See* Letter and Notice of Deposition attached hereto as Exhibit D. On March 11, 2014, two days before the deposition was to

commence, Thomason wrote a letter indicating that Atwell was in poor health and would not be able to appear for deposition. *See* March 11, 2014 letter from Thomason attached hereto as Exhibit E. In this letter, Thomason indicates that a letter from a doctor would be forthcoming stating specifically that the doctor had declared Atwell “physically unable to withstand a deposition at this time”. In a March 12, 2014 response letter, Tollison wrote that a valid and substantiated letter from a treating physician for Atwell was required by 5:00 pm on March 12, 2014, or the deposition would go forward. *See* March 12, 2014 letter to Thomason attached hereto as Exhibit F.

In a letter that same day, Thomason responded with a detailed summary of Atwell’s past medical history and physical condition and a request that the deposition be postponed indefinitely. *See* March 12, 2014 letter from Thomason attached hereto as Exhibit G. As a professional courtesy and upon representation that adequate medical excuse letters from doctors were forthcoming, Tollison agreed to continue the deposition. However, no doctors’ letters or explanations were provided, although in Thomason’s letter it states that Atwell was in possession of said letters. *See id.* On March 19, 2014, Tollison followed up by letter to Thomason indicating that no doctors’ letters had been received and thus the Receiver would be forced to file a Petition for a Rule to Show Cause. *See* March 19, 2014 letter to Thomason attached hereto as Exhibit H. On March 25, 2014, Tollison received a letter from Thomason which included letters from two of Atwell’s treating physicians. *See* March 25, 2014 letter from Thomason with attached doctors’ letters attached hereto as Exhibit I.

It is the position of the Receiver that the letters submitted to avoid the deposition are woefully inadequate. The first letter, written by a Dr. Joy McFarland, states that Atwell is periodically treated for chronic medical conditions at the Greenville Outpatient Veterans

Clinic. *See id.* The second letter, written by Dr. William Bolton, states in two sentences that Atwell has a sternal wound infection requiring small dressings to the sternal area. Thus it is clear that Atwell is merely attempting to avoid a deposition and any other obligations to repay the Receiver the ill-gotten profits.

In summary, the records in the possession of the Receiver indicate that the monies were transferred to Atwell or on his behalf and that he gave nothing of value in return and thus has no legitimate claim to the funds. Further, Atwell has avoided all attempts by the Receiver to take his deposition. Therefore, the Receiver asks the Court to issue a Rule to Show Cause why Atwell should not be required to transfer the funds acquired from the fraudulent investment scheme and to immediately submit to all necessary discovery, including a deposition, and production of all relevant records and tax returns required to effectuate the relief sought herein.

Respectfully submitted,

THE TOLLISON LAW FIRM, P.A.

/s/L. Walter Tollison, III

L. Walter Tollison, III

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/s/Lauren S. Price

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Attorneys for the Receiver

May 7, 2014
Greenville, South Carolina

Financial Analysis
Charles Edward Atwell

Bank	Account	Type	Date	Check No	Payee/Remitter	Money Out	Money In
Gvl First	16451	chk	5/16/06	9461	T&E Associates	\$9,000.00	
Gvl First	16451	chk	5/21/06	9490	T&E Associates	\$1,000.00	
Gvl First	16451	chk	6/9/06	9501	T&E Associates	\$1,300.00	
Gvl First	16451	chk	6/27/06	9524	T & E Associates	\$680.00	
Gvl First	16451	chk	8/25/2006	9584	PPIG	\$3,500.00	
Gvl First	16451	chk	9/1/2006	9598	PPIG	\$12,000.00	
Gvl First	16451	chk	9/15/2006	9619	PPIG	\$4,000.00	
Gvl First	16451	chk	9/20/06	9624	T&E	\$400.00	
Gvl First	16451	chk	9/26/06	9630	T&E Associates	\$6,000.00	
Gvl First	16451	chk	10/9/06	9647	T & E Associates	\$9,000.00	
Gvl First	16451	chk	10/10/2006	9653	PPIG	\$10,000.00	
Gvl First	16451	chk	10/20/2006	9669	PPIG	\$10,000.00	
Gvl First	16451	chk	10/25/06	9673	Charles E. Atwell	\$5,000.00	
Gvl First	16451	chk	11/3/2006	9688	PPIG	\$19,000.00	
Gvl First	16451	chk	11/13/2006	9695	PPIG	\$10,000.00	
Gvl First	16451	chk	11/21/2006	9703	PPIG	\$25,000.00	
Gvl First	16451	chk	11/27/2006	9711	PPIG	\$12,500.00	
Gvl First	16451	chk	12/7/2006	9736	PPIG	\$5,000.00	
Gvl First	16451	chk	12/14/2006	9740	PPIG	\$20,000.00	
Gvl First	16451	Chk	1/4/2007	9788	PPIG	\$70,000.00	
Gvl First	16451	Chk	1/8/2007	9796	PPIG	\$5,000.00	
Gvl First	16451	Chk	1/23/2007	9819	PPIG	\$15,000.00	
Gvl First	16451	Chk	2/5/2007	9830	PPIG	\$20,000.00	
Gvl First	16451	Chk	2/16/2007	9850	PPIG	\$10,000.00	
Gvl First	16451	Chk	3/1/2007	9859	PPIG	\$3,838.96	
Gvl First	16451	Chk	3/1/2007	9858	PPIG	\$15,000.00	
Gvl First	16451	Chk	3/6/2007	9882	PPIG	\$10,000.00	
Gvl First	16451	Chk	3/12/2007	9872	PPIG	\$20,000.00	
Gvl First	16451	Chk	15-Mar-07	9880	Charles E Atwell	\$16,000.00	
Gvl First	16451	Chk	3/28/2007	9894	PPIG	\$5,272.00	
Gvl First	16451	Chk	3/28/2007	9895	PPIG	\$11,000.00	
Gvl First	16451	Chk	4/6/2007	9906	PPIG	\$10,000.00	
Gvl First	16451	Chk	4/6/2007	9905	PPIG	\$10,000.00	
Gvl First	16451	Chk	4/13/2007	9927	PPIG	\$5,000.00	
Gvl First	16451	Chk	4/20/2007	9936	PPIG	\$6,508.19	
Gvl First	16451	Chk	4/20/2007	9937	PPIG	\$10,000.00	
Gvl First	16451	Chk	4/26/2007	9943	PPIG	\$10,000.00	
Gvl First	16451	Chk	4/26/2007	9942	PPIG	\$35,722.00	
Gvl First	16451	Chk	5/8/2007	9953	PPIG	\$1,654.46	
Gvl First	16451	Chk	5/11/2007	9956	PPIG	\$20,000.00	
Gvl First	16451	Chk	5/23/2007	9974	PPIG	\$1,238.96	
Gvl First	16451	Chk	5/31/2007	9980	PPIG	\$3,650.00	
Gvl First	16451	Chk	5/31/2007	9981	PPIG	\$5,000.00	
Gvl First	16451	Chk	6/1/2007	9983	PPIG	\$10,000.00	
Gvl First	16451	Chk	6/4/2007	9988	PPIG	\$30,000.00	
Gvl First	16451	Chk	6/6/2007	9991	PPIG	\$583.00	
Gvl First	16451	Chk	6/18/2007	10005	PPIG	\$2,238.96	
Gvl First	16451	Chk	6/21/2007	10007	PPIG	\$15,000.00	
Gvl First	16451	chk	7/13/2007	10021	PPIG	\$15,000.00	
Gvl First	16451	chk	7/30/2007	10037	PPIG	\$3,000.00	
Gvl First	16451	chk	7/30/2007	10036	PPIG	\$19,000.00	
Gvl First	16451	chk	8/13/2007	10048	PPIG	\$20,000.00	
Gvl First	16451	chk	9/5/2007	10070	PPIG	\$6,822.00	
Gvl First	16451	chk	9/7/2007	10073	PPIG	\$5,000.00	
Gvl First	16451	chk	9/13/2007	10089	PPIG	\$15,000.00	
Gvl First	16451	chk	9/16/2007	10092	PPIG	\$22,000.00	
Gvl First	16451	chk	9/16/2007	10093	PPIG	\$30,000.00	
Gvl First	16451	chk	9/26/2007	10103	PPIG	\$19,000.00	
Gvl First	16451	chk	10/5/2007	10114	PPIG	\$7,800.00	
Gvl First	16451	chk	10/9/2007	10121	PPIG	\$15,000.00	
Gvl First	16451	chk	10/12/2007	10140	PPIG	\$12,000.00	
Gvl First	16451	chk	10/22/2007	10147	PPIG	\$15,000.00	

Financial Analysis
Charles Edward Atwell

Bank	Account	Type	Date	Check No	Payee/Remitter	Money Out	Money In
Gvl First	16451	chk	10/22/2007	10146	PPIG	\$23,402.82	
Gvl First	16451	chk	10/30/2007	10159	PPIG	\$6,000.00	
Gvl First	16451	chk	10/30/2007	10159	PPIG	\$10,000.00	
Gvl First	16451	chk	11/1/2007	10163	PPIG	\$6,621.00	
Gvl First	16451	chk	11/3/2007	10163	PPIG	\$6,621.00	
Gvl First	16451	chk	11/5/2007	10167	PPIG	\$30,000.00	
Gvl First	16451	chk	11/5/2007	10167	PPIG	\$30,000.00	
Gvl First	16451	chk	11/15/2007	10186	PPIG	\$10,000.00	
Gvl First	16451	chk	11/15/2007	10186	PPIG	\$10,000.00	
Gvl First	16451	chk	11/26/2007	10190	PPIG	\$22,000.00	
Gvl First	16451	chk	11/26/2007	10190	PPIG	\$22,000.00	
Gvl First	16451	chk	11/30/2007	10193	PPIG	\$36,000.00	
Gvl First	16451	chk	11/30/2007	10193	PPIG	\$36,000.00	
Gvl First	16451	chk	12/4/2007	10198	PPIG	\$16,000.00	
Gvl First	16451	chk	12/24/2007	10221	PPIG	\$10,000.00	
Gvl First	16451	Chk	1/4/2008	10249	PPIG	\$2,500.00	
Gvl First	16451	chk	1/4/2008	10238	PPIG	\$5,183.00	
Gvl First	16451	Chk	1/4/2008	10251	PPIG	\$5,803.06	
Gvl First	16451	Dep	1/7/2008	1696	PPIG		\$32,933.00
Gvl First	16451	Chk	1/9/2008	10252	PPIG	\$10,000.00	
Gvl First	16451	Chk	1/18/2008	10263	PPIG	\$11,000.00	
Gvl First	16451	Chk	1/24/2008	10281	PPIG	\$7,500.00	
Gvl First	16451	Chk	2/3/2008	10299	PPIG	\$8,821.96	
Gvl First	16451	Chk	2/5/2008	10306	PPIG	\$6,200.00	
Gvl First	16451	Chk	2/17/2008	10316	PPIG	\$14,415.78	
Gvl First	16451	Chk	2/18/2008	10331	PPIG	\$5,000.00	
Gvl First	16451	Chk	2/28/2008	10340	PPIG	\$2,450.00	
Gvl First	16451	Chk	2/28/2008	10352	PPIG	\$10,000.00	
Gvl First	16451	Dep	2/29/2008	1765	PPIG		\$419.95
Gvl First	16451	Chk	3/14/2008	10384	PPIG	\$10,000.00	
Gvl First	16451	Chk	3/24/2008	10398	PPIG	\$5,000.00	
Gvl First	16451	Chk	3/28/2008	10406	PPIG	\$15,000.00	
Gvl First	16451	Chk	4/11/2008	10446	PPIG	\$7,000.00	
Gvl First	16451	Chk	4/22/08	10476	T&E Assoc. LLC	\$10,000.00	
Gvl First	16451	Chk	5/1/08	10495	T&E	\$10,000.00	
Gvl First	16451	Chk	5/14/08	10512	T&E Association	\$10,000.00	
Gvl First	16451	Chk	5/21/08	10523	T&E Associates	\$15,000.00	
Gvl First	16451	Chk	5/23/2008	10530	PPIG	\$10,000.00	
Gvl First	16451	Chk	6/3/08	10550	T&E Associates	\$10,000.00	
Gvl First	16451	Chk	6/3/2008	10551	PPIG	\$10,000.00	
Gvl First	16451	Chk	6/12/2008	10565	PPIG	\$5,000.00	
Gvl First	16451	Chk	6/23/2008	10579	PPIG	\$5,000.00	
Gvl First	16451	Chk	6/27/08	10582	T&E Associates	\$10,000.00	
Gvl First	16451	Chk	7/7/08	10578	T&E Associates	\$3,000.00	
Gvl First	16451	Chk	7/11/08	10612	T&E Associates	\$5,000.00	
Gvl First	16451	Chk	7/21/08	10618	T&E	\$10,000.00	
Gvl First	16451	Chk	7/30/08	10647	T&E Associates, LLC	\$10,000.00	
Gvl First	16451	Chk	8/15/2008	10671	PPIG	\$15,000.00	
Gvl First	16451	Dep	8/28/08	1331	T&E Associates		\$10,000.00
Gvl First	16451	Chk	8/29/08	10688	T&E Associates	\$2,000.00	
Gvl First	16451	Chk	9/23/08	10719	T&E Associates	\$10,000.00	
Gvl First	16451	Chk	9/29/08	10775	T&E Associates	\$7,000.00	
Gvl First	16451	Chk	10/2/08	10741	T&E Associates	\$10,000.00	
Gvl First	16451	Chk	10/10/08	10830	T&E Associates	\$10,000.00	
Gvl First	16451	Chk	10/13/08	10753	T&E Associates	\$7,000.00	
Gvl First	16451	Chk	10/21/08	10768	T&E Associates	\$3,000.00	
Gvl First	16451	Chk	11/13/08	10794	T&E Associates	\$10,000.00	
Gvl First	16451	Chk	11/14/08	18598	T&E Associates	\$10,000.00	
Gvl First	16451	Chk	11/19/08	10807	T&E Associates	\$10,000.00	
Gvl First	16451	Chk	12/19/08	10847	T&E Associates	\$15,000.00	
Gvl First	16451	Chk	12/30/08	10864	T&E Associates	\$10,000.00	
Gvl First	16451	Chk	1/5/09	11566	Atwell Family Trust	\$11,500.00	

Financial Analysis
Charles Edward Atwell

Bank	Account	Type	Date	Check No	Payee/Remitter	Money Out	Money In
Gvl First	16451	Chk	1/22/09	10892	T& E Associates	\$10,000.00	
Gvl First	16451	Chk	1/29/09	10901	T& E Associates	\$15,000.00	
Gvl First	16451	Chk	2/6/09	10919	T& E Associates	\$4,000.00	
Gvl First	16451	Chk	2/7/09	11683	T& E Associates	\$5,000.00	
Gvl First	16451	Chk	2/13/09	10937	T& E Associates	\$10,000.00	
Gvl First	16451	Chk	3/4/09	11531	T& E Associates	\$15,000.00	
Gvl First	16451	Chk	3/10/09	10974	T& E Associates	\$10,000.00	
Gvl First	16451	Chk	3/24/09	11003	T& E Associates	\$2,300.00	
Gvl First	16451	Chk	4/15/09	11553	T& E Associates	\$5,000.00	
Gvl First	16451	Chk	4/27/09	11565	T& E Associates	\$10,000.00	
Gvl First	16451	Chk	5/6/09	11636	T& E Associates	\$7,000.00	
Gvl First	16451	Chk	5/8/09	11760	T& E Associates	\$15,000.00	
Gvl First	16451	Chk	5/13/09	11593	T& E Associates	\$10,000.00	
Gvl First	16451	Chk	5/28/09	11617	T& E Associates	\$5,000.00	
Gvl First	16451	Chk	6/5/09	11582	T& E Associates	\$10,000.00	
Gvl First	16451	Chk	6/19/09	11653	T& E Associates	\$5,000.00	
Gvl First	16451	Chk	8/7/09	11692	T& E Associates	\$10,000.00	
Gvl First	16451	Chk	9/14/09	11854	T& E Associates	\$5,000.00	
Gvl First	16451	Chk	10/7/09	11693	T& E Associates	\$12,500.00	
Gvl First	16451	Chk	8/25/11	1321	Charles Edward Atwell	\$21,643.00	
Gvl First	16451	Chk	10/11/11	1463	Charles Edward Atwell	\$32,511.00	
Gvl First	16451	Chk	12/6/11	1638	Charles Edward Atwell	\$50,496.00	
Total						\$1,670,177.15	\$43,352.95

From: Walt Tollison
Sent: Tuesday, February 04, 2014 5:03 PM
To: Kimberly Thomason
Cc: Amy Inglesby; Lauren Price
Subject: Ed Atwell

Kim, do you still represent Ed Atwell ?? I need to take his deposition and have held off longer than I should have. if so, call asap so we can pencil in a date soon and then I will send you Notice. Otherwise, I will send him a subpoena.

If I don't hear from you by tomorrow, I will serve him.

Hope all is well

Walt Tollison

The Tollison Law Firm, P.A.
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From: Walt Tollison
Sent: Thursday, April 03, 2014 10:51 AM
To: Lauren Price
Subject: FW: Ed Atwell

Walt Tollison

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www.tollisonlawfirm.com

From: Walt Tollison [<mailto:walt.tollison@thetollisonlawfirm.com>]
Sent: Tuesday, February 04, 2014 6:22 PM
To: 'Kimberly Thomason'
Subject: RE: Ed Atwell

Kim, thx, but can't go that far out.

Feb 18th or 19th ?? we will start at 10, break for lunch, finish by end of day if Ed is being cooperative.

Walt Tollison

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Fax: 864-451-7591
walt.tollison@thetollisonlawfirm.com
www.tollisonlawfirm.com

From: Kimberly Thomason [<mailto:truluckthomason@gmail.com>]
Sent: Tuesday, February 04, 2014 5:51 PM
To: Walt Tollison
Subject: Re: Ed Atwell

I do represent him. I will be out of town Thursday and Friday of this week, have a mediation on Monday and will be in Columbia next Thursday or Friday. I will try to call you tomorrow but have several meetings. If we could look at a date the first of March, I have a lot more flexibility in my schedule after the next couple of weeks.

Hope all is well with you. I'm sure you are off to a busy 2014 also so I'll try to work with your schedule also.

Thanks,

Kim.

The Law Offices of

Truluck Thomason, LLC
522 North Church Street
Greenville, SC 29601
864-331-1751 (Office)
864-672-4007 (Fax)
truluckthomason@gmail.com

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On Tue, Feb 4, 2014 at 5:03 PM, Walt Tollison <walt.tollison@thetollisonlawfirm.com> wrote:
Kim, do you still represent Ed Atwell ?? I need to take his deposition and have held off longer than I should have. if so, call asap so we can pencil in a date soon and then I will send you Notice. Otherwise, I will send him a subpoena.

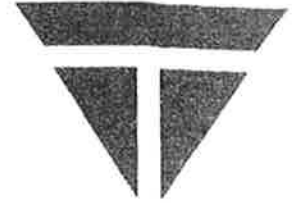
If I don't hear from you by tomorrow, I will serve him.

Hope all is well

Walt Tollison
The Tollison Law Firm, P.A.
24 Vardry Street, Ste. 203
Greenville, SC 29601
Tel: [864-451-7038](tel:864-451-7038)
Fax: [864-451-7591](tel:864-451-7591)
walt.tollison@thetollisonlawfirm.com
www.tollisonlawfirm.com

THE LAW OFFICES OF TRULUCK THOMASON, LLC

522 NORTH CHURCH STREET
GREENVILLE, SC 29601



February 6, 2014

LWT
COPY

Mr. Walt Tollison
The Tollison Law Firm
24 Vardry Street, Suite 203
Greenville, SC 29601

RE: Deposition of Mr. Charles Edward Atwell

Dear Mr. Tollison,

This letter is to follow up with you regarding your request to schedule the deposition of Mr. Ed Atwell. After checking my schedule I have been able to confirm that the month of February is completely booked. As I did not receive your request until after 5:00 p.m. on February 4, 2014 and I have several hearings, depositions, mediations, and trials that cannot be rescheduled we will be unable to accommodate the dates you put forward. As of today, I can be available March 5, 2014 or March 11, 2014. Please let me know if one of these dates works with your schedule and you can then forward the Notice of Deposition to my office.

As I mentioned when we spoke previously, I will be out of town for the rest of this week on another client matter. I will be back in the office on Monday, February 10, 2014 if you need to discuss this matter further. I look forward to speaking with you soon.

Kindest Regards,

Kimberly Thomason
Kimberly T. Thomason

KTT/hl

OFFICE: (864) 331-1751

FAX: (864) 672-4007

TRULUCKTHOMASON@GMAIL.COM

The Tollison Law Firm, P.A.
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L. Walter Tollison, III.
Tel: 864-451-7038 x. 10
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Lauren S. Price
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lauren.price@thetollisonlawfirm.com

February 7, 2014

Via Facsimile and Electronic Transmission

Kimberly T. Thomason
The Law Offices of Truluck Thomason, LLC
525 North Church Street
Greenville, SC 29601
864-672-4007 (fax)
truluckthomason@gmail.com

Re: In Re: Receiver for Ronnie Gene Wilson and Atlantic Bullion & Coin, Inc.,
8:12-cv-2078-JMC
Notice for Deposition re: Mr. Ed Atwell

Dear Kim:

Please find enclosed the Notice of Deposition issued under the authority of the February 14, 2013 Order of the United States District Court directing your client, Mr. Ed Atwell, to appear for deposition and produce documents on March 13, 2014 at 10:00 at The Tollison Law Firm, P.A. located at 24 Vardy Street, Suite 203 in Greenville, South Carolina 29601. I will arrange for a court reporter to be present at this deposition.

If you have any questions, please contact my office at 864-451-7038.

Very truly yours,



L. Walter Tollison, III

LWT: aml

cc: Beattie B. Ashmore, Receiver

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION**

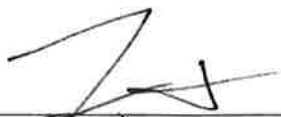
IN RE:RECEIVER FOR) Civil Action No. 8:12-cv-2078-JMC
RONNIE GENE WILSON AND)
ATLANTIC BULLION & COINC, INC)

NOTICE OF DEPOSITION OF ED ATWELL

PLEASE TAKE NOTICE THAT counsel to the Receiver will take or cause to be taken the deposition by oral examination of Ed Atwell (“Atwell”) under the authority of to the February 14, 2013 Order of the United States District Court (“Court Order”) attached hereto and the Federal Rules of Civil Procedure. The deposition will be recorded by an officer duly qualified to administer oaths and take depositions on **March 13, 2014 at 10:00 am** at the offices of The Tollison Law Firm, P.A. located at 24 Vardry Street, Suite 203 in Greenville, South Carolina 29601. Said depositions will continue from day to day.

Pursuant to the Court Order, Atwell is also directed to bring those documents listed and identified in Exhibit A, attached hereto.

THE TOLLISON LAW FIRM, P.A.

By: 

L. Walter Tollison, III, Federal Id. No. 4117
24 Vardry Street, Ste. 203
Greenville, SC 29601
(864) 451-7038
Attorney for the Receiver

Exhibit A

- (1) Any and all documents or records in your custody, possession or control that in any way relate, directly or indirectly, to the individuals or companies listed on the attached order, including Professional Planning of Greenville, S.C.
- (2) All copies of bank records, bank accounts, deposits, checks (Cashier's or Certified), debits, and or wire transfers that in any way relate to money received or paid by the individuals or companies listed on the attached order, including Professional Planning of Greenville, S.C.
- (3) A list and copy of any and all records showing money (via checks or wire transfer) received by you from individuals or companies owned by or doing business with Mr. Ron Wilson (or individuals/companies listed on the attached order).
- (4) List of all assets, including real estate properties, owned or controlled or used by you or family members, in whole or part, for the last 6 years, either in your name or as a trust.
- (5) List of all constituents or investors (and copies of their contracts) that you were responsible for or credited for being an investor with AB&C from the year 2000 forward.
- (6) Any electronic communications (e-mails, facsimiles) between you and any of the individuals or companies listed on the attached order.
- (7) Copies of presentations or publications distributed by you on behalf of individuals or companies listed on the attached order.
- (8) Copies of any information acquired from the attendance of a conference hosted by any individual or company on the attached order.
- (9) List of all current or former stock, mutual fund or other investments in your name (including family members) or for your benefit for the last 6 years.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

UNITED STATES OF AMERICA)	Civil Action No. 8:12-cv-2078-JMC
)	
v.)	
)	
RONNIE GENE WILSON)	
ATLANTIC BULLION & COIN, INC.,)	
)	ORDER¹
Defendants.)	
_____)	
)	
IN RE:RECEIVER FOR)	
RONNIE GENE WILSON AND)	
ATLANTIC BULLION & COINC, INC.)	

Whereas, the United States requested with the consent of Defendants, and the Court granted, pursuant to Title 18, United States Code, Section 1956(b)(4)(A), a motion for an appointment of a Federal Receiver regarding Ronnie Gene Wilson ("Wilson") and Atlantic Bullion & Coin, Inc. ("AB&C") (collectively, "Defendants") (Criminal Action No. 8:12-cr-0320-JMC). It now appears to the Court that there are entities and individuals controlled by and/or alter egos of the Defendants to include Republic Bullion & Coin, Inc.; Henry & Crowder Family Ltd. Partnership; Henry & Crowder, LLC; Bailey & Rice Family Ltd. Partnership; Live Oak Farms; Smallwood Family Trust; Professional Planning of Easley, LLC; Wallace Lindsey Howell ("Howell") and all businesses and/or trusts owned or controlled by Howell including, but not limited to, Julie A. Asset Management Trust, the Kingdom Estate Trust, Wallace Lindsey Howell Trust, Bill Porter Construx Home, WMA World Marketing, Upstate OSR, Protective Solutions, and RHYS & Company, LLC; Tracy

¹ This Order replaces and supersedes the Order of October 17, 2012, Docket Entry Number 21.

Neily (“Neily”) and all businesses and/or trusts owned or controlled by Neily including, but not limited to, the Atwell Family Trust; and their subsidiaries, successors and assigns. Collectively, these individuals and defendants shall be referred to as the “AB&C Receivership Entities”.

Whereas, the Government and Defendants ask that the Receiver be vested with full and exclusive power, duty and authority to administer and manage the business affairs, funds, assets, choses in action and any other property of the AB&C Receivership Entities, marshal and safeguard all of the assets of the AB&C Receivership Entities, and take whatever actions are necessary for the protection of the United States and investors.

Whereas, the Court has appointed Beattie B. Ashmore, Esquire, Greenville, South Carolina who the Court finds is eminently qualified to be appointed as Receiver of all of the assets, properties, books and records, and other items of the AB&C Receivership Entities.

Now, Therefore, IT IS ORDERED, ADJUDGED AND DECREED that the appointed Receiver for the AB&C Receivership Entities is hereby authorized, empowered, and directed to:

1. Take immediate possession of all property, assets and estates owned, controlled, used, accessed or authorized by or for the benefit of the AB&C Receivership Entities, (including assets and property directly traceable to the AB&C Receivership Entities that may be in the possession of Wilson, Howell and/or Neily’s family members and acquaintances) that have and continue to receive, withdraw, hold, and /or disburse money on behalf of the AB&C Receivership Entities or in the possession of the AB&C Receivership Entities of every kind whatsoever and wheresoever located, including, but not limited to, rights of action, books, papers, data processing records, evidences of debt, bank accounts, savings

accounts, certificates of deposit, stocks, bonds, debentures and other securities, mortgages, furniture, fixtures, office supplies and equipment, and all real property of the AB&C Receivership Entities, wherever situated, and to administer such assets as is required in order to comply with the directions contained in this Order, and to hold all other assets pending further order of this Court.

Access to Seized Documents and Property

In the event that any of the foregoing documents or property have been seized by the United States Secret Service (“USSS”), such authorities are directed to grant the Receiver and his agents full and unfettered access to review and copy such documents and property to permit the Receiver to discharge his duties, subject to the USSS’s ability to review, store, and assure said documents are safeguarded for use in future legal proceedings. In addition, the USSS is directed to turn over any and all assets seized from the AB&C Receivership Entities directly to the Receiver. Any entity that has possession, custody, or control of any asset of the AB&C Receivership Entities is directed to turn over such asset to the Receiver.

2. Investigate the manner in which the affairs of the AB&C Receivership Entities were conducted and institute such actions and legal proceedings, for the benefit and on behalf of the AB&C Receivership Entities, and their respective investors or other creditors, as the Receiver deems necessary against those individuals, corporations, agencies, partnerships, associations and/or unincorporated organizations, that the Receiver may claim to have wrongfully, illegally or otherwise improperly be in the possession of or misappropriated / transferred monies or other proceeds directly or indirectly traceable from investors in the Ponzi scheme operated by Defendants, including their respective officers, directors, employees, affiliates, subsidiaries or any persons acting in concert or participation

with them, or against any transfers of monies or other proceeds directly or indirectly traceable from investors in AB&C; provided such actions may include, but not be limited to, seeking imposition of constructive trusts, disgorgement of profits, of debts, and such orders from this Court as may be necessary to enforce this Order.

3. Present to this Court a report reflecting the existence and value of the assets and liabilities of the AB&C Receivership Entities. If the Receiver in executing his duties believes it is in the best interest of all parties and persons affected that certain assets seized should be liquidated prior to a final liquidation of assets in order to maximize the value, the Receiver shall submit to the Court a request for approval, and, if good cause be shown, such approval will be granted. However, the Court is aware that the Receiver is in the possession of certain assets including but not limited to livestock and perishable food items that may need to be sold forthwith in order to preserve their value. As to these assets, the Receiver is authorized to conduct a sale at his discretion without obtaining a specific order from the Court.

4. Appoint one or more special agents, employ legal counsel, actuaries, accountants, clerks, consultants and assistants as he deems necessary and to fix and pay their reasonable compensation and reasonable expenses thereof and all reasonable expenses of taking possession of the AB&C Receivership Entities' assets and businesses, and exercising the power granted by this Order, subject to approval by this Court at the time the Receiver accounts to the Court for such expenditures and compensation.

5. Engage persons in his discretion to assist him in carrying out his duties and responsibilities as Receiver, including, but not limited to, the United States Marshal's Service or a private security firm.

6. Defend, compromise or settle legal actions, including the instant proceeding, wherein the Defendants or the Receiver are a party, commenced either prior to or subsequent to this Order, with authorization of this Court; except, however, in actions where any Defendant is a nominal party, as in certain foreclosure actions where the action does not affect the assets of the Defendants, the Receiver may file appropriate pleadings in his discretion.

7. Assume control of, and be named as authorized signatory for, all accounts at any bank, brokerage firm or financial institution that has possession, custody or control of any assets or funds, wherever situated, of--or for the benefit of--the AB&C Receivership Entities and, upon order of this Court, of any of their subsidiaries or affiliates, provided that the Receiver deems it necessary.

8. Make or authorize such payments and disbursements from the funds and assets taken into control, or thereafter received by the Receiver, that which are reasonable in discharging his duties as Receiver.

9. Have access to and review all mail except for mail from the Defendants' attorney to Defendant, as more fully set forth in paragraph 21 of this Order.

10. Upon conviction or guilty plea, if such a conviction or guilty plea comes to bear, do all things necessary, including, but not limited to fashioning and distributing a proof of claim form in order to obtain, collect, analyze, verify and present to the Court information related to the financial loss of victims.

11. Upon entry of an Order of Restitution, if such an order is entered, do all things necessary to effectuate a distribution, including, but not limited to fashioning and submitting a Plan for Claims Administration and Distribution of Proceeds to be approved by the Court;

locating, seizing, managing and liquidating, with Court approval, assets held or obtained by the Receiver; and distributing, at the Court's discretion, the corpus of the Receiver Estate to those persons who have met the requirement for and are entitled to restitution.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, in connection with the appointment of the Receiver provided for above:

12. The AB&C Receivership Entities and all of their respective directors, officers, agents, employees, attorneys, attorneys-in-fact, shareholders, sales representatives and other persons who are in custody, possession, or control of any assets, books, records, or other property of the AB&C Receivership Entities shall deliver forthwith upon demand such property, monies, books and records to the Receiver, and shall forthwith grant to the Receiver authorization to be a signatory as to all accounts at banks, brokerage firms or financial institutions that have possession, custody or control of any assets or funds in the name of or for the benefit of the AB&C Receivership Entities.

13. All banks, brokerage firms, financial institutions, or other business entities that have or may have—per information provided by the Receiver—possession, custody or control of any assets, funds or accounts in the name of, or for the benefit of the AB&C Receivership Entities or in the name of or for the benefit of individuals known to be working in concert with the AB&C Receivership Entities (including those acting in the capacity of sales representatives) shall cooperate expeditiously in providing necessary information and in the granting of control and authorization as a necessary signatory as to said assets and accounts to the Receiver. Any required disclosure and notification of the Receiver's request for information and/or control of said assets and accounts shall occur in a manner so as not to impede the duties of the Receiver.

14. Unless and as authorized by the Receiver, the AB&C Receivership Entities, and their respective principals or anyone purporting to act on their behalf shall take no action on behalf of or for the benefit of the AB&C Receivership Entities.

15. The AB&C Receivership Entities, and their respective principals, officers, agents, employees, attorneys-in-fact, and sales representatives shall cooperate fully with the Receiver, including, if requested, appearing for deposition testimony and producing documents, upon two business days' notice (which may be sent by facsimile), and shall take no action, directly or indirectly, to hinder, obstruct, or otherwise interfere with the Receiver in the conduct of his duties or to interfere in any manner, directly or indirectly, with the custody, possession, management, or control by the Receiver of the funds, assets, premises, or choses in action described above.

16. The Receiver, or any counsel who the Receiver may select, is entitled to reasonable compensation from the assets now in the possession or control of, or which may be received by the AB&C Receivership Entities; said amount or amounts of compensation shall be commensurate with the duties performed, subject to approval of the Court.

17. During the period of this Receivership, all persons, including creditors, banks, investors, or others, with actual notice of this Order, are enjoined from filing a petition for relief under the United States Bankruptcy Code without prior permission from this Court, or from in any way disturbing the assets or proceeds of the receivership or from prosecuting any actions or proceedings that interfere with the discharge of the Receiver's obligations.

18. Title to all property, contracts, rights of action, and books and records of the AB&C Receivership Entities, and their respective principals, wherever located, is vested by operation of law in the Receiver.

19. Upon request by the Receiver, any company providing telephonic services to the AB&C Receivership Entities, shall provide a reference of calls from all numbers presently assigned to the AB&C Receivership Entities, to any such number designated by the Receiver or perform any other changes necessary to the conduct of the receivership.

20. Any entity furnishing water, electric, telephone, sewage, garbage or trash removal services to the AB&C Receivership Entities shall maintain such service and transfer any such accounts to the Receiver unless otherwise instructed by the Receiver without the need to post a bond or security deposit.

21. The United States Postal Service is directed to provide any information requested by the Receiver regarding any Defendant, and handle future deliveries of Defendants' mail as directed by the Receiver. All personal mail or mail to or from the Defendants' attorney will be delivered to the Defendants' attorney by the Receiver.

22. No bank, savings and loan association, financial institution, or any other person or entity, shall exercise any form of set-off, alleged set-off, lien, or any form of self-help whatsoever, or refuse to transfer any funds or assets to the Receivers control without the permission of this Court.

23. No bond shall be required in connection with the appointment of the Receiver. Except for an act of gross negligence, the Receiver shall not be liable for any loss or damage incurred by the AB&C Receivership Entities, or the Receiver's officers, agents, employees, independent representatives or any other person, by reason of any act or omission by the Receiver in connection with the discharge of his duties and responsibilities hereunder.

24. Service of this Order shall be sufficient if made upon the AB&C Receivership Entities or their respective principals by facsimile or overnight courier.

8:12-cv-02078-JMC Date Filed 02/14/13 Entry Number 43 Page 9 of 9

25. In the event that the Receiver discovers that funds of persons who have invested in the AB&C Receivership Entities, have been transferred to other persons or entities, the Receiver shall apply to this Court for an Order giving the Receiver possession of such funds and, if the Receiver deems it advisable, extending this receivership over any person or entity holding such investor funds.

26. The Receiver is ordered to periodically file a Report on his activities with the Court.

IT IS SO ORDERED.

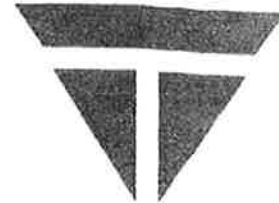
s/J. Michelle Childs
J. MICHELLE CHILDS
UNITED STATES DISTRICT JUDGE

Greenville, South Carolina

February 14, 2013

THE LAW OFFICES OF TRULUCK THOMASON, LLC

522 NORTH CHURCH STREET
GREENVILLE, SC 29601



March 11, 2014

LWT

Mr. Walt Tollison
The Tollison Law Firm
24 Vardry Street, Suite 203
Greenville, SC 29601

RE: Deposition of Mr. Charles Edward Atwell

Dear Mr. Tollison,

This letter is to follow up with you regarding the deposition of Mr. Ed Atwell currently scheduled for Thursday, March 13, 2014. As you may know, Mr. Atwell is in poor health and is receiving continuous medical care. My client has just informed me that he had an appointment with his doctor Monday morning and his doctor has declared that he is physically unable to withstand a deposition at this time. It is my understanding that the doctor provided Mr. Atwell a letter to this effect which I will be happy to forward to your attention when I receive a copy from my client.

Please feel free to give me a call if you would like to discuss this matter further or to discuss the possibility of rescheduling the deposition. I look forward to speaking with you soon.

Kindest Regards,

Kimberly Thomason
Kimberly T. Thomason

KT/al

RECEIVED MAR 19

OFFICE: (864) 331-1751

FAX: (864) 672-4007

TRULUCKTHOMASON@GMAIL.COM

The Tollison Law Firm, P.A.
24 Vardry Street, Suite 203
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L. Walter Tollison, III.
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walt.tollison@thetollisonlawfirm.com

Lauren S. Price
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Fax: 864-451-7591
lauren.price@thetollisonlawfirm.com

March 12, 2014

Via Facsimile and Electronic Transmission

Kimberly T. Thomason
The Law Offices of Truluck Thomason, LLC
525 North Church Street
Greenville, SC 29601
864-672-4007 (fax)
truluckthomason@gmail.com

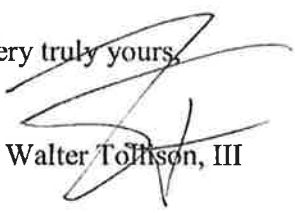
Re: In Re: Receiver for Ronnie Gene Wilson and Atlantic Bullion & Coin, Inc.,
8:12-cv-2078-JMC
Mr. Ed Atwell

Dear Kim:

I am in receipt of your letter of March 11, 2014 regarding the deposition of Mr. Ed Atwell currently noticed for Thursday March 13, 2014, pursuant to the February 14, 2013 Order of the United States District Court. Unless I am in receipt of a valid and substantiated letter from a treating physician of Mr. Atwell by 5:00 pm today stating that he is physically unable to attend the deposition, we will commence as scheduled tomorrow morning and Mr. Atwell will expose himself to potential legal consequences for failing to appear.

Any letter provided on Mr. Atwell's behalf must also state the projected date upon which Mr. Atwell will be fit to undergo a simple deposition. Please know that any letter provided will be fully vetted by my office to include, but not be limited to, interview and possible deposition of the physician upon whose opinion Mr. Atwell relies.

Very truly yours,

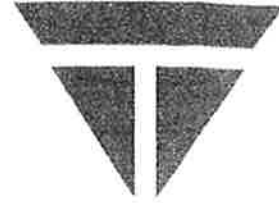

L. Walter Tollison, III

LWT: aml

cc: Beattie B. Ashmore, Receiver

THE LAW OFFICES OF TRULUCK THOMASON, LLC

522 NORTH CHURCH STREET
GREENVILLE, SC 29601



March 12, 2014

Mr. Walt Tollison
The Tollison Law Firm
24 Vardry Street, Suite 203
Greenville, SC 29601

RE: Deposition of Mr. Charles Edward Atwell

Dear Walt,

This letter is in response to your letter of earlier today. While I understand your need to confirm the circumstances upon which my request that Mr. Atwell's deposition scheduled for Thursday be postponed, the tone of your letter suggest serious skepticism. I can assure you, I am not using tactical maneuverings to avoid the deposition. Mr. Atwell has undergone six major surgeries since his original open heart surgery in April, 2012. He developed a massive infection and was in a battle for his life for the better part of the last two years. He has been hospitalized in the cardiac care unit following each surgery for extended stays. After the most recent of the 6 surgeries, the surgeons were forced to leave his chest incision open in an attempt to combat the infection. He has been under Dr. Bolton's care and that of an infectious disease specialist throughout this process. He has been connected to a "wound vac" for months and the incision only fully closed 3 weeks ago. He is still under the physicians' care and they are concerned that his continued weakened immune system would suffer a set back without proper recovery time.

I learned on Monday that the physician had concerns: Keep in mind that the massive heart episode that resulted in the initial open heart surgery occurred after learning of the Ron Wilson's scheme and the part his wife played in destroying his business, followed by his realization that all of his clients' accounts no longer existed and had all been converted to Ron Wilson and ABC accounts while he was absent for 48 months prior. While he is able to get out for short periods of time and continues to improve, until the physician releases him, I support the position that any added stress could be detrimental to his health as he remains in a tenuous state. He already has the letters and will be bringing them to my office this afternoon, I am not certain whether they have all of the information as you requested as specified in your letter. Amanda will forward them to your attention as soon as she receives them. However, I strongly object to

OFFICE: (864) 331-1751

FAX: (864) 672-4007

TRULUCKTHOMASON@GMAIL.COM

RECEIVED MAR 14

any plan to continue the deposition in light of the facts as I have outlined them above.

It is no secret that Ed has been seriously ill for an extended period of time. Any substantiation you need, I am certain you will have no problem finding in abundance. I would appreciate your professional courtesy in accepting my assurance that I can and will substantiate the need for a postponement. Furthermore, most, if not all of the documents you requested that Mr. Atwell provide are still in the custody of your office. You may recall, we requested copies of all of the files you removed from the Professional Planning of Greenville offices, but your office required that Mr. Atwell pay the cost of such copies. Given his status, he could not pay to have them copies so he has not had access to those files at any time since your office confiscated them. In fact, we offered over a year ago to point out specific needed information in the files, if you would allow Mr. Atwell access.

I appreciate your consideration of the facts as I have provided above in postponing the deposition until such time as Mr. Atwell is fully recovered and released by his physician. I will keep you apprised as I learn of his progress as I am updated so that we can reschedule the deposition as soon as possible.

I will be on the road to a meeting this afternoon in Charlotte but will be returning this evening. You may reach me on my cell at 864-554-7504 if you need to discuss further. Otherwise, I will assume that you are satisfied that I am being forthright and grant my request with no further threat of reprisal against Mr. Atwell. After all, he has fully cooperated with you in all ways and has agreed to continue to do so throughout this process.

Sincerely,


Kimberly T. Thomason

KTT(al)

The Tollison Law Firm, P.A.
24 Vardry Street, Suite 203
Greenville, SC 29601

L. Walter Tollison, III.
Tel: 864-451-7038 x. 10
Fax: 864-451-7591
walt.tollison@thetollisonlawfirm.com

Lauren S. Price
Tel: 864-451-7038 x. 14
Fax: 864-451-7591
lauren.price@thetollisonlawfirm.com

March 19, 2014

VIA USPS & ELECTRONIC MAIL

Kimberly T. Thomason
The Law Offices of Truluck Thomason, LLC
525 North Church Street
Greenville, SC 29601

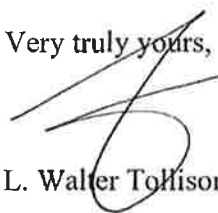
Re: Deposition of Mr. Charles Edward Atwell

Dear Kim:

I am in receipt of your letter dated March 12, 2014 and your voice messages left last week. The sum and substance of all your representations is that Mr. Atwell could not and cannot physically appear for his previously noticed deposition. This stance was to have been substantiated with medical excuses from Mr. Atwell's doctor which you had "in hand". You have yet to produce the aforementioned medical excuses despite my request for you to do so in my letter of March 12, 2014.

Mr. Ashmore has instructed me to file a Rule to Show Cause by the end of this week if we do not have Mr. Atwell's medical excuses in our hand and they are to our satisfaction.

Very truly yours,

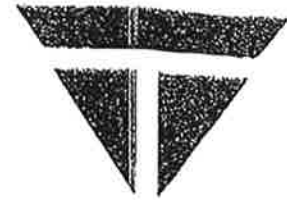


L. Walter Tollison, III

LWT: sbn
CC: Beattie B. Ashmore, Receiver

THE LAW OFFICES OF
TRULUCK THOMASON, LLC

522 NORTH CHURCH STREET
GREENVILLE, SC 29601



March 25, 2014

Mr. Walt Tollison
The Tollison Law Firm
24 Vardry Street, Suite 203
Greenville, SC 29601

RE: Deposition of Mr. Charles Edward Atwell

Dear Walt,

Enclosed please find copies of letters from two of the physicians that Mr. Atwell is currently receiving treatment from regarding his ongoing medical issues and need for treatment.

Please feel free to contact my office if you have any questions or concerns. Thank you for your continued understanding and cooperation in this matter.

Sincerely,

Kimberly Thomason
Kimberly T. Thomason

KTU/al

OFFICE: (864) 331-1751
FAX: (864) 672-4007
TRULUCKTHOMASON@GMAIL.COM

Mar 25 14 12:21p

Ed Atwell

8642465004

p.2



**DEPARTMENT OF VETERANS AFFAIRS
Greenville Community-Based Care Service
41 Park Creek Drive
Greenville, SC 29606**

3/20/2014

To Whom It May Concern,

ATWELL, CHARLES EDWARD FEB 2, 1951 is being followed at the Greenville Outpatient Veterans Clinic as well as specialists in the Greenville Medical Community for chronic medical illnesses that require periodic visits, treatments and tests. Please take this medical information in consideration.

Sincerely,

Joy McFarland, MD

Mar 17 14 12:40p

Ed Atwell

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GREENVILLE HEALTH SYSTEM

Atwell Charles Edward
508 Motor Boat Club Road
Greenville, SC 29611

March 12th 2014

To Whom It May Concern

Charles Atwell is under my care for a sternal wound infection. Current modality

consists of small dressings to the sternal area.

William Bolton MD

Cancer Institute

ghs.org/cancer

Cancer Institute-Eastside
65 International Drive
Greenville, SC 29615
Medical Oncology (864) 987-7000
Radiation Oncology (864) 679-4000
Research (864) 247-6251
Transplant (864) 370-1393

Cancer Institute-Paris Road
600 W. Farris Road
Greenville, SC 29605
Med/Gyn Oncology (864) 404-2010
Radiation (864) 679-3900
ITOR (864) 455-3600
CIOS (864) 455-3446
AIC (864) 455-6743

Cancer Institute-Gravo Commons
3 Butternut Drive, Suite B
Greenville, SC 29605
(864) 241-7272

Cancer Institute-Andrews Street
200 Andrews St., Suite 100
Greenville, SC 29601
(864) 269-4508

Cancer Institute-Greer
340 Medical Parkway, Suite 100
Greer, SC 29650
Medical Oncology (864) 662-4000
Radiation Oncology (864) 334-4900

Cancer Institute-Spartanburg
120 Dillon Drive
Spartanburg, SC 29307
(864) 699-5700

Cancer Institute-Seneca
131 Lila Doyle Drive
Seneca, SC 29672
(864) 888-3717

Cancer Institute-Easley
109 Fleetwood Drive, Suite A
Easley, SC 29640
(864) 855-2780

Cancer Institute-Multidisciplinary Centers
890 W. Farris Road, Suite 320
Greenville, SC 29605
(864) 455-4968

Cancer Institute-Piedmont Center
33 Villa Road, Suite 400
Greenville, SC 29615
Research (864) 522-3057
Medical Records (864) 522-2000

Cancer Institute Patient Account Services
255 Enterprise Drive, Suite 220/240
Greenville, SC 29615
(864) 454-8611