

NOTICE REGARDING ALL MOTIONS TO COMPEL:

All Motions to Compel shall be heard on the mornings of November 29 & 30 at 10 AM. All Counsel shall bring a proposed Order granting the relief sought. None of this information sought by the court should be of surprise if Counsel has reviewed the Memorandum submitted to the Bar by Judge Roger Young on July 2, 2018 called "Chief Administrative Judge Ramblings." I strongly recommend all Counsel appearing before the court review this Memorandum.

An affidavit detailing the attempts to resolve the motion prior to the hearing shall also be presented. Included with the Affidavit shall be a statement of services rendered which details the time and fees generated from pursuit of the discovery sought in the Motion to Compel. **Affidavits, briefs and proposed Orders** granting the requested relief and leaving a blank for the amount of fees and costs to be awarded **shall be presented to the court at the hearing** and shall also be timely served on opposing counsel prior to the hearing. **Failure to comply will result in denial of the relief.**

As to any objection to discovery on the basis that the information sought is either privileged or work product, the objecting party shall prepare and present at the time of the hearing their **privilege log** detailing the basis for the claim to privilege or reason why it should be excluded from production.

At a minimum, the privilege log should detail the date of the communication/statement, who prepared or made the statement, to whom the statement was directed to and finally, the specific basis for the privilege should be included in the log. While this will necessitate much more work on the part of the party claiming the privilege, **failure to prepare and bring** this log to the hearing will result in the **privilege claimed considered waived** by the court and the **motion to compel shall be granted**.

The Motion to Compel hearing shall constitute a hearing under Rule 37(a) 4, SCRCF.

Mikell R. Scarborough
Special Circuit Court Judge

November 16, 2018
Charleston, SC