

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

HOWARD K. STERN, as Executor of the
Estate of Vickie Lynn Marshall,
a/k/a Vickie Lynn Smith,
a/k/a Vickie Lynn Hogan,
a/k/a Anna Nicole Smith,

Civil Action No. _____

Plaintiff,

vs.

STANCIL SHELLEY,
a/k/a Ford Shelley,
G. BEN THOMPSON,
and John or Jane Doe 1-12 whose true names
are unknown,

Defendants.

PLAINTIFF'S RESPONSES TO RULE 26.1 INTERROGATORIES

COMES NOW Plaintiff Howard K. Stern, as Executor of the Estate of Vickie Lynn Marshall, a/k/a Vickie Lynn Smith, a/k/a Vickie Lynn Hogan, a/k/a Anna Nicole Smith (the "Executor") and pursuant to United States District Court for the District of South Carolina Local Rule 26.01, hereby responds to the Interrogatories to be Answered by the Executor.

INTERROGATORIES AND RESPONSES

Interrogatory 1: State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

Response: After the exercise of reasonable diligence, the Executor is not aware of

any persons or legal entities who may have a subrogation interest in any claim that might be brought in this action.

Interrogatory 2: As to each claim, state whether it should be tried jury or nonjury and why.

Response: The Seventh Amendment to the United States Constitution provides: "In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law." This right of trial by jury is preserved to the parties in this civil action by Federal Rule of Civil Procedure 38(a). Each of the seven (7) claims set forth in the Complaint are legal or equitable causes of action for which jury trials are allowed under the applicable laws of both California and South Carolina. Proper demands for a jury trial have been made in the Complaint pursuant to Federal Rule of Civil Procedure 38(b). In addition, for the equitable relief requested in the Complaint, the Court could consider the factual findings of the jury under the legal causes of action as an advisory jury for the equitable claims under Federal Rule of Civil Procedure 39(c)(1).

Interrogatory 3: State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

Response: The party submitting these responses is not a publicly owned company.

Interrogatory 4: State the basis for asserting the claim in the division in which it was filed.

Response: The Executor asserts the claims in this Division because both named defendants, Stancil Shelley and G. Ben Thompson, reside in Horry County, South Carolina, which makes the Florence Division of the United States District Court for the District of South Carolina an appropriate venue for this action.

See 28 U.S.C. § 1391(a)(1).

Interrogatory 5: Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal?

Response: This action is not related in whole or in part to any other matter filed in this District.

Respectfully submitted this 4 day of August, 2008.



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(Georgia Bar No. 390922) (Pro hac vice submitted)

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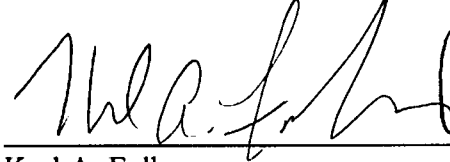
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CERTIFICATE OF SERVICE

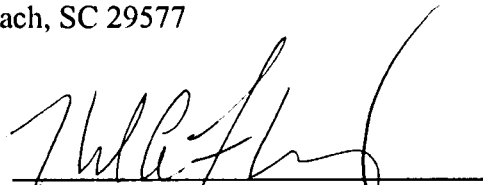
I hereby certify that on August 4, 2008, I filed the foregoing document with the Clerk of Court in conjunction with the Complaint dated August 4, 2008, and a true and correct copy of the foregoing document shall be served on the following with the Summons and Complaint

FILED
NOV 4 2008

Stancil "Ford" Shelley
8000 Beach Drive
Myrtle Beach, SC 29572-4348

G. Ben Thompson
3760 Waterford
Myrtle Beach, SC 29577

This 4th day of August, 2008.



Karl A. Folkens
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