

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

A Matter under Investigation	)	CASE NUMBER: 3:07-mc-135-MBS
	)	
By Grand Jury #1	)	<b>RESPONSE ON BEHALF OF JOSEPH B.</b>
	)	<b>BRUNSON TO RECEIVER'S DOCUMENTS</b>
	)	<b>AND REPORT TO COURT ON</b>
	)	<b>FEBRUARY 26, 2009</b>
	)	

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Counsel for Joseph B. Brunson responds as follows to the report of the Receiver made on February 26, 2009.

**Item 1- Aubrey Street Properties**

The receiver claims that Mr. Brunson has entered into leases with tenants and required them to pay rent for certain properties that are located on Aubrey Street adjacent to the Church where Mr. Brunson is the pastor. First, Mr. Brunson was in Butner, North Carolina for a Court-ordered mental evaluation from September 3, 2008 until December 15, 2008. It would have been impossible for Mr. Brunson to perform any of the alleged actions during that time due to his presence at the Butner Federal Facility.

Mr. Brunson acknowledges that the Church has maintained mobile homes on the Aubrey Street properties to house homeless people and others with no other place to go. Mr. Brunson submits that this arrangement existed prior to the appointment of the receiver. The individuals who live in these mobile homes are not required to pay "rent" but do make donations to the Church as they are able to do so. However, failure to make a donation to the Church does not have any adverse consequences for the residents of the Aubrey Street properties. When an individual leaves the Aubrey Street properties, keys to the property are returned to the Church. The provision of housing to the homeless is part of the mission of Mr. Brunson's church.

**Item 2- AllSouth FCU 1099 Forms**

Counsel for Mr. Brunson submits that there is no prohibition in this Court's Order regarding the preparation of these forms. As such, Mr. Brunson cannot be held in contempt as a result of these forms.

**Item 3- Vest Law Payments**

Copies of money orders were included at Tab F of the Receiver's Report. Certain money orders were apparently sent to Vest Law on January 8-9, 2008. Joseph B. Brunson was not the remitter on any of these money orders. In reviewing the documentation provided by the Receiver, it appears that certain family members of Mr. Brunson apparently sent thirteen (13) money orders totaling Ten Thousand Nine Hundred (\$10,900) Dollars during January 2008.

Counsel respectfully submits that Mr. Brunson should not be held in contempt of an Order when he was not responsible for remitting any of the funds complained of by the Receiver.

**General Response**

There are two (2) important facts that must be considered in attempting to respond to the Receiver's Report. First, Mr. Brunson was absent for over three months from September-December, 2008 pursuant to Court Order. Second, Mr. Brunson's mail is sent to the Receiver so it is difficult for Mr. Brunson to have timely information about any communication that comes by mail.

Counsel for Mr. Brunson, respectfully submits that no action be taken by the Court on the Receiver's Report. Counsel further submits that nothing in the receiver's Report rises to the level of contempt as to Mr. Brunson as the Receiver cannot show a willful violation of the Court's Order by Mr. Brunson.

Respectfully Submitted,  
**AUSTIN & ROGERS, P.A.**

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March 10, 2009