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Mar 09 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Justice Jean Toal, Circuit Court Judge

Case No. 2023-000232

Rhonda Meisner,

Appellant,

v.

Grant Meisner; Grant Meisner, MD, LLC; Sheila Robinson; Erwin Mangubat, MD; Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, P.A.; Tricia L. Flowers; Flowers Consulting, LLC; Richard G. Whiting, Esquire; Law Offices of Richard G. Whiting, P.A.; John Doe (1-10);

Respondents.

MOTION TO DISMISS APPELLANT’S APPEAL

Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting, P.A. move the Court, pursuant to Rule 203(b)(1) of the South Carolina Appellate Court Rules, for an order dismissing Appellant’s Appeal. This motion is made upon the following grounds:

1. Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting, P.A. filed a Motion to Dismiss Plaintiff’s Amended Complaint on May 31, 2022.
2. Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting, P.A.’s motions were heard by Chief Justice Jean H. Toal on December 2, 2022.
3. Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting, P.A.’s

motions were granted by order dated December 15, 2022.

4. Appellant filed a Motion for Reconsideration on December 29, 2022.
5. By order filed on January 10, 2023, Justice Toal denied Appellant's Motion for Reconsideration.
6. That same day, the Richland County Clerk of Court mailed a copy of Justice Toal's Order denying Appellant's Motion for Reconsideration to Appellant.
7. Appellant did not file Notice of Appeal until February 15, 2023.
8. Appellant's Appeal is not timely. Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting, P.A. are entitled to an order dismissing Appellant's Appeal as a matter of law.

This motion is based upon the pleadings filed in this action, the applicable common and statutory law, and the affidavit of Stephanie H. Burton and memorandum filed herewith.

s/Stephanie H. Burton
Stephanie H. Burton (#13089)
GIBBES BURTON, LLC
308 East Saint John Street
Spartanburg, SC 29302
sburton@gibbesburton.com
Telephone: (864) 327-5000
Facsimile: (864) 342-6884

*Attorneys for Respondents Richard G. Whiting and
Law Offices of Richard G. Whiting, P.A.*

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Respondents.

MEMORANDUM IN SUPPORT OF MOTION TO DISMISS APPEAL OF
RESPONDENTS RICHARD G. WHITING AND THE LAW OFFICES OF RICHARD G.
WHITING, P.A.

Pursuant to Rule 203(b)(1) of the South Carolina Appellate Court Rules, Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting, P.A. hereby submit this Memorandum in support of their Motion to Dismiss Appellant's Appeal. For the reasons that follow, the Court should dismiss Appellant's Appeal as untimely.

BACKGROUND

Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting, P.A. filed a Motion to Dismiss on May 6, 2022, and a Motion to Dismiss Plaintiff's Amended Complaint on

May 31, 2022. The motion to dismiss was heard by Chief Justice Toal on December 2, 2022. She granted Respondents' motions by order filed on December 15, 2022. Appellant filed a Motion to alter or amend that order on December 29, 2022. By order filed on January 10, 2023, Chief Justice Toal denied Appellant's Motion to Alter or Amend. That very day, the Richland County Clerk of Court mailed a copy of Justice Toal's Order to Appellant, whose address is in Blythewood, South Carolina.¹ Appellant belatedly filed Notice of Appeal on February 15, 2023.

ARGUMENT

Appellant's Appeal is Not Timely.

Under Rule 203(b)(1) of the South Carolina Appellate Court Rules, Appellant had thirty days after receipt of written notice of Chief Justice Toal's order to serve Notice of Appeal. Plaintiff falsely alleges in her Notice of Appeal that she never received the Order at all. (Notice of Appeal 1.) Appellant argues that her appeal is timely because it is based on when she by happenstance noticed Chief Justice Toal's Order on the court website. She explains, "[H]owever, upon review of the records, she noticed the denial in the Court electronic records. This appeal is filed within 30 days of notice of the Order in the files." (Id.)

Appellant's argument is legally defective. Rule 203(b)(1) of the South Carolina Appellate Court Rules is clear: a notice of appeal in a civil action must be served on all respondents within thirty days following receipt of written notice of entry of the order or judgment. Rule 203(b)(1), SCACR; Canal Ins. Co. v. Caldwell, 338 S.C. 1, 5, 524 S.E.2d 416, 418 (Ct. App. 1999) (holding the failure to timely serve the notice of appeal "divests this court of subject matter jurisdiction and

¹ Plaintiff lists PO Box 689, Blythewood, SC 29016 as her mailing address on her Summons and Complaint in this case, the same address used by Respondents in their notices to her, and the address used by the Richland County Clerk of Court to send her a copy of Chief Justice Toal's Orders.

results in dismissal of the appeal"). The deadline to file an notice of appeal is not based on when Appellant personally knew about the Order, but when she received Chief Justice Toal's Order at the address that she provided to the Court.

The Supreme Court of South Carolina cautioned against courts rescuing parties from missed deadlines in Elam v. South Carolina Dep't of Transp.: "[I]f a party misses the deadline, the appellate court lacks jurisdiction to consider the appeal and has no authority or discretion to 'rescue' the delinquent party by extending or ignoring the deadline for service of the notice." 361 S.C. 9, 14-15, 602 S.E.2d 772, 775 (2004).

Appellant's Prior Misrepresentation.

Appellant has made incorrect assertions about receiving papers in this case previously. A hearing on Respondents' motions to dismiss was scheduled for December 2, 2022. Rule 6(d) of the South Carolina Rules of Civil Procedure requires a party to serve notice of a hearing "not later than ten days before the time specified for the hearing." To comply with this requirement, these Respondents mailed notice of the scheduled hearing to Appellant by letter on November 18, 2022. (Burton Aff. Exhibit A)

Despite Respondents' letter, over a month later in her Motion for Reconsideration filed on December 29, 2022, Appellant alleged that "none of the Defendant filed or served a hearing notice on the Plaintiff for their motion to dismiss 10 days in advance of the hearing as required by SCRCR Rule 6(d)." (Motion for Recons. at 3). Appellant repeated this false argument throughout her motion. (Id. at 4, 5, 6.) Appellant even filed with her Motion for Reconsideration a Declaration wherein she asserted, "I never received any hearing notices from any defendants for their motions to be heard on December 2, 2022 prior to the hearing, but I filed and served the hearing noticed on all defendants 10 days in advance of the hearing on my motions."

CONCLUSION

Based upon the foregoing authorities and arguments, the Affidavit of Stephanie H. Burton, and applicable common and statutory law, Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting, P.A. respectfully submit that they are entitled to an order dismissing Appellant's appeal as a matter of law.

Respectfully submitted,

s/Stephanie H. Burton
Stephanie H. Burton (#5009)
Gibbes Burton, LLC
308 East St. John Street
Spartanburg, SC 29302
sburton@gibbesburton.com
Telephone: 864-327-5000
Facsimile: 864-342-6884

*Attorneys for Respondents Richard G.
Whiting and Law Offices of Richard G.
Whiting, P.A.*

March 9, 2023

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Respondents.

AFFIDAVIT OF STEPHANIE H. BURTON IN SUPPORT OF MOTION TO DISMISS
APPELLANT'S APPEAL OF RICHARD G. WHITING AND THE LAW OFFICES OF
RICHARD G. WHITING, P.A.

PERSONALLY APPEARED BEFORE ME, Stephanie H. Burton, who, being duly sworn,
states as follows:

1. I represent Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting, P.A. in the above-referenced matter.
2. Respondents Richard G. Whiting and the Law Offices of Richard G. Whiting, P.A. filed a Motion to Dismiss on May 2, 2022, and a Motion to Dismiss Plaintiff's Amended Complaint on May 31, 2022. A hearing on this motion was scheduled for December 2, 2022. I provided

notice to Appellant at the address contained in her Summons and Complaint of this hearing by letter dated November 18, 2022, which was sent to her by United States Mail. True and accurate copies of that letter providing notice of the hearing that was mailed to Appellant is attached hereto as Exhibit A.

3. Respondents motion was heard by the Chief Justice Jean H. Toal on December 2, 2022.

4. The motion to dismiss was granted by order filed on December 15, 2022.

5. Appellant filed a Motion to Alter or Amend on December 29, 2022, a copy of which is attached as Exhibit B.

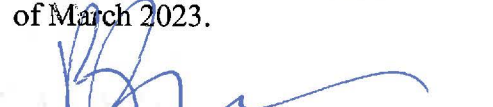
6. In her Motion for Reconsideration, Plaintiff falsely asserted that “none of the Defendants filed or served a hearing notice on the Plaintiff for their motion to dismiss 10 days in advance of the hearing as required by SCRCF Rule 6(d).” (Ex. B, p. 3.)

7. By order filed on January 10, 2023, the Chief Justice Jean H. Toal denied Appellant’s Motion for Reconsideration.

8. The Richland County Clerk of Court mailed a copy of Chief Justice Toal’s Order denying her Motion for Reconsideration to Appellant on January 10, 2023. A true and accurate copy of the case history that I obtained from the Richland County Clerk of Court is attached hereto as Exhibit C.


Stephanie H. Burton

Sworn to before me this 9th day of March 2023.


Notary Public for South Carolina
My Commission Expires: 1/13/2024

BRIAN R. EDWARDS
Notary Public, State of South Carolina
My Commission Expires 1/13/2024

Exhibit A

Stephanie H. Burton
sburton@gibbesburton.com



November 18, 2022
By United States Mail

Ms. Rhonda Meisner
P.O. Box 689
Blythewood, SC 29016

Re: Rhonda Meisner v. Grant Meisner, Grant Meisner, MD, LLC, et al.
C.A. No.: 2022-CP-40-01415

Dear Ms. Meisner:

The following motions are scheduled to be heard by Chief Justice Toal at 2:00 p.m. on December 2, 2022 at the Richland County courthouse in Courtroom 3-A:

1. Motion to Dismiss of Defendants Richard G. Whiting and Law Offices of Richard G. Whiting, PA; and
2. Motion to Dismiss Plaintiff's Amended Complaint of Defendants Richard G. Whiting and Law Offices of Richard G. Whiting, PA.

With kind regards,

Yours very truly,

GIBBES BURTON, LLC

A handwritten signature in blue ink that reads 'Stephanie H. Burton'. The signature is written in a cursive style with a long, sweeping underline.

Stephanie H. Burton

SHB/bep

Exhibit B

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS
 5TH JUDICIAL CIRCUIT

CASE NO.: 2022-CP-40-1415

Rhonda Meisner)
 Plaintiff,)

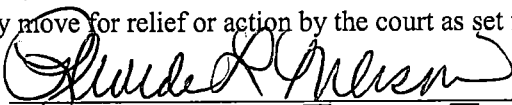
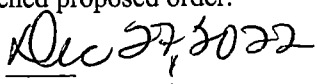
**MOTION AND ORDER INFORMATION
 FORM AND COVERSHEET**

vs.)

Grant Meisner; Grant Meisner, MD, LLC;
 Sheila Robinson; Erwin Mangubat, MD;
 Moore, Taylor, & Thomas, P.A.; Moore
 Taylor Law Firm, P.A.; Moore Bradley Myers
 Law Firm, PA.; Tricia L. Flowers; Flowers
 Consulting, LLC; Flowers Consulting, LLC;
 Richard G. Whiting, Esquire; Law Offices of
 Richard G. Whiting, PA. John Doe, (1-10) a
 fictional name assigned to identify parties that
 are not yet known or not yet determined.

Defendant.)

RICHLAND COUNTY
 FILED
 2022 DEC 29 AM 11:45
 JAMES EDWARD BRADLEY
 C.O.P., G.S., & F.O.

Plaintiff's Attorney: Rhonda Meisner, Bar No. n/a Address: PO Box 689 Blythewood, SC 29016 Phone: 803-206-3402 Fax _____ E-mail: scorequipment@gmail.com Other: _____	Defendant's Attorney: James Edward Bradley, Bar No. _____ Address: PO Box 1576 Irmo, South Carolina 29063 Phone: 803-749-8555 Fax _____ E-mail: WARD@MBMLAWSC.COM Other: _____
<input checked="" type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) <input type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) <input type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)	
SECTION I: Hearing Information	
Nature of Motion: MOTION to ALTER AND AMEND Estimated Time Needed: 1 HOUR Court Reporter Needed: <input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO	
SECTION II: Motion/Order Type	
<input checked="" type="checkbox"/> Written motion attached <input type="checkbox"/> Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order.	
 Signature of Attorney for <input type="checkbox"/> Plaintiff / <input type="checkbox"/> Defendant	 Date submitted
SECTION III: Motion Fee	
<input type="checkbox"/> PAID - AMOUNT: \$ _____ <input type="checkbox"/> EXEMPT: (check reason)	
<input type="checkbox"/> Rule to Show Cause in Child or Spousal Support <input type="checkbox"/> Domestic Abuse or Abuse and Neglect <input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party <input type="checkbox"/> Sexually Violent Predator Act <input type="checkbox"/> Post-Conviction Relief <input type="checkbox"/> Motion for Stay in Bankruptcy <input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRCP) <input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions Name of Court Reporter: _____ <input type="checkbox"/> Other: _____	

JUDGE'S SECTION	
<input type="checkbox"/> Motion Fee to be paid upon filing of the attached order.	JUDGE CODE _____
<input type="checkbox"/> Other:	Date: _____
CLERK'S VERIFICATION	
Collected by: _____	Date Filed: _____
<input type="checkbox"/> MOTION FEE COLLECTED: \$ _____	
<input type="checkbox"/> CONTESTED - AMOUNT DUE: \$ _____	

SCCA 233 (11/2003)

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Rhonda Meisner

Plaintiff,

v.

Grant Meisner; Grant Meisner, MD, LLC; Sheila Robinson; Erwin Mangubat, MD; Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, PA.; Tricia L. Flowers; Flowers Consulting, LLC; Flowers Consulting, LLC; Richard G. Whiting, Esquire; Law Offices of Richard G. Whiting, PA. John Doe, (1-10) a fictional name assigned to identify parties that are not yet known or not yet determined.

IN THE CIRCUIT COURT FIFTH JUDICIAL CIRCUIT

DOCKET NO.2022-CP-40-01415

JEANETTE W. McBRIDE
C.C.P., G.S., & F.C.P.

2022 DEC 29 AM 11:45

RICHLAND COUNTY
FILED

**MOTION TO ALTER AND AMEND
PURSUANT TO S.C.R.C.P. RULE 52
AND RULE 59 (e)**

TO THE DEFENDANTS Grant Meisner; Grant Meisner, MD, LLC; Sheila Robinson; Erwin Mangubat, MD; Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, PA.; Tricia L. Flowers; Flowers Consulting, LLC; Flowers Consulting, LLC; Richard G. Whiting, Esquire; Law Offices of Richard G. Whiting, PA. John Doe, (1-10) a fictional name assigned to identify parties that are not yet known or not yet determined.

THIS MOTION TO ALTER AND AMEND IS FILED WITHIN 10 DAYS OF RECEIPT OF EMAIL CONSIDERING THE CHRISTMAS HOLIDAY AND NOTWITHSTANDING THE SOUTH CAROLINA COURT OF APPEALS DETERMINED EMAIL IS NOT PROPER SERVICE ON A SELF-REPRESENTED DEFENDANT.

INTRODUCTION

During the hearing on the motion to dismiss, the Defendants attempted to argue this lawsuit was simply a continuation of the marital dissolution of the plaintiff and Defendant Grant Meisner.

The pleadings in this case and the four corners of the complaint make clear that this case is the result of conduct outside the confines of the Court Room that occurred in an unprivileged setting and unprivileged manner.

In fact, as previously argued to the Court, bringing the causes of action in the Family Court would not only be improper, but it would deny the plaintiff her requested jury trial.

The obvious purpose was to attempt to prejudice the Court against the plaintiff; however, in attempting to tether this case to the marital dissolution, the Defendants made multiple false and/or misleading statements to the Court to further their interests and request dismissal.

For example, the defendants informed the Court that the plaintiff and Grant Meisner was in week 3 of a divorce trial that was filed in 2019 in an effort to claim the plaintiff was the cause of the extended period of litigation; however, they failed to inform the Court that the Honorable Judge Leslie Riddle suggested a 17 day trial in her mediation report or that on day four of the actual trial it was Defendant Grant Meisner and Defendant Sheila Robinson of the Moore Bradley Myers Law Firm that informed the trial judge the Honorable Joseph Smithdeal that they did not want to continue with Judge Smithdeal after he recused himself. Judge Smithdeal recused himself because another attorney in the Moore Bradley Myers Law Firm sued him in a civil nuisance suit. Judge Smithdeal stated he was willing to continue and could judge fairly and was not affected by the nuisance lawsuit that was filed by a different member of Moore Bradley Myers Law Firm, but that the ethical cannon required him to recuse himself. Sheila Robinson on behalf of Grant Meisner informed the Court that they wanted another judge, not the Plaintiff.

The attorneys for the Defendant's Grant Meisner and Grant Meisner, MD, LLC also did not inform the Court that Defendant Sheila Robinson attempted to enter into evidence the filing

of this complaint into the record of the marital dissolution which quite obviously was not allowed, as it is unrelated to the marital dissolution claims and defenses.

Defendant Erwin Mangubat also attempted to change his motion to dismiss to that of a summary judgment motion improperly by submitting to the Court other papers outside of the complaint associated with the evaluation that Erwin Mangubat, MD completed on Defendant Grant Meisner and the discovery ruling in a different case of the Honorable Rosalyn Frierson-Smith.

Finally, attorneys for Defendant's Grant Meisner and Grant Meisner, MD, LLC brought up other cases unrelated to this case for the purposes of prejudicing the Court regarding the Plaintiff without including the final rulings by this Court or the Honorable Cameron Currie.

BACKGROUND AND BASIS FOR THE MOTION

As an initial matter, none of the Defendants filed or served a hearing notice on the Plaintiff for their motion to dismiss 10 days in advance of the hearing as required by SCRCF Rule 6(d).

A review of the Clerk of Court's records indicates the defendants also did not file any hearing notices with the Clerk of Court nor did they request relief during the hearing for failing to comply with SCRCF Rule 6(d). The language in Rule 6(d) requires the hearing notice to be served and filed at least 10 days in advance of the hearing. A review of the Court's filings indicate only the Plaintiff complied with the mandatory notice requirements for her motions.

Additionally, as argued during the hearing, at least two defendants Tricia L. Flowers and Flowers Consulting, LLC did not answer the complaint, or the amended complaint and an affidavit of default was filed with the Court as to these defendants and served on the parties. The

plaintiff argued the acts of the agent are imputed to the principal, which implicates all defendants that have been properly served.

The Rules require parties to participate in discovery and mediation; however, here multiple defendants failed to answer the requests for admission or answer discovery despite the fact the plaintiff requested relief from the Court which was denied in the Form 4.

Finally, the Court denied the Plaintiff's request to dismiss the counterclaims of the Defendants which included the request for attorney's fees by the Defendants which the plaintiff avers were not advanced in the hearing and any such arguments were abandoned by not following the rules as it relates to all defendants. As attorney's fees relates to Grant Meisner, Grant Meisner, MD, LLC, Richard Whiting, and the Law Offices of Richard Whiting SC, PA these defendants abandoned their motions by failing to file a hearing notice, serve the notice on the plaintiff or appear at the Motion hearing.

As attorney's fees relate to Erwin Mangubat, MD he did not file a hearing notice, serve a hearing notice on the plaintiff, or appear at the hearing. To the extent his counsel appeared and argued that he withdrew the counterclaims, his arguments to the Court did not include a request to waive Erwin Mangubat, MD's appearance in support of a substantive motion and attempted to change the Motion to Dismiss to a Motion for Summary Judgement by offering into evidence and handing to the plaintiff copies of the assessment he performed. As to Defendants Sheila Robinson, Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, PA those entities are not entitled to attorney's fees because they are self-represented entities for which attorneys fees are not available under the American Rule.

ARGUMENT

Defendants Grant Meisner, Grant Meisner MD, LLC, Richard G. Whiting, the Law offices of Richard G Whiting, PA, Erwin Mangubat, MD, Moore, Taylor, & Thomas, P.A. Moore Taylor Law Firm, P.A. Moore Bradley Myers Law Firm, PA. failed to file a notice of hearing or serve a hearing notice on the defendant. A review of the filings indicates only the Plaintiff's notice of hearing was filed with the Court and served on the Defendants. **EXHIBIT A Plaintiff's hearing notice and proof of service.**

As such, the plaintiff avers the Defendants abandoned their motion to dismiss by not properly noticing the hearing and as such the Defendants motions were not properly before the court because they failed to file a hearing notice, serve the notice, or request relief or excuse from the Court for not filing or serving the hearing notice.

I. Dismissal is not warranted as the Complaint and Amended Complaint adequately state a claim for relief on all causes of action.

A. Defendants failed to Notice the Motion to Dismiss Hearing as required by the Rules or Request relief for not appearing at substantive hearing.

1. None of the Defendants filed a hearing notice 10 days in advance or served such on the Plaintiff, as evidenced by the Court records.
2. Defendants Erwin Mangubat, MD, Grant Meisner, Grant Meisner, MD, LLC, Richard G. Whiting, or the Law Offices of Richard G. Whiting, PA, Tricia L. Flowers*, Flowers Consulting, LLC* failed to appear at the Motion hearing and their counsel of record failed to request relief, submit an affidavit, or request to be excused from a substantive hearing as evidence by the Court records.

B. Some Defendants have defaulted and not answered the Complaint

As argued in the hearing, Defendants Tricia L. Flowers and Flowers Consulting, LLC failed to answer the Complaint and the acts of the agent are imputed to the principal which implicates all the Defendants as outlined in the civil conspiracy claim, trespass, trespass after

notice, invasion of privacy, false light claim, abuse of process and public disclosure of private information. To the extent which principals are involved in the failures and the bad acts of Tricia Flowers and Flowers Consulting, LLC those claims should not be dismissed, and the Plaintiff respectfully requests the Court to reconsider its Order of Dismissal filed by Form 4 on December 15, 2022. **EXHIBIT B Affidavit of Default for Tricia L. Flowers filed with the Court.**

The plaintiff's request for participation in discovery and mediation should have been granted because the acts of the agent are imputed to the principal. To the extent, Tricia L. Flowers actions are attributable to all defendants, the plaintiff avers she is entitled to discovery.

The defendants have also requested relief that borders on a permanent injunction for future events which the plaintiff avers is unconstitutional and should not be allowed.

C. Defendants are not entitled

*Exhibit C Declaration of
Rhonda Meisner*

II. Defendants are not entitled to relief in the form of the Counterclaims for attorney's fees.

- A. Defendant Erwin Mangubat failed to put any facts into evidence that provided for recovery of attorney's fees.
- B. Defendants Grant Meisner and Grant Meisner, MD, LLC failed to file a notice of hearing, failed to appear without excuse at the substantive hearing, and failed to put forth a valid claim for attorney's fees.
- C. Defendants Richard G. Whiting and the Law Offices of Richard G. Whiting, PA failed to file notice of the hearing, failed to serve notice of the hearing, and failed to appear without excuse to the motion hearing.
- D. Defendants Sheila Robinson, Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, PA. failed to file a hearing notice, serve the hearing notice for the motion to dismiss and to advance their counterclaims for attorney's

fees. Additionally, these Defendants are not entitled to attorney's fees as self-represented litigants because both the representative attorney and individual attorney are partners in the firm Moore Bradley Myers Law Firm.

In conclusion, While the Court is not required to make findings of fact or conclusions of law for motions hearings, the Plaintiff respectfully requests a ruling on the following that was advanced in either the hearing or papers filed in response to the Defendant's motions or in support of her own motions.

1. A ruling and determination that the Court has subject matter jurisdiction over the claims in this case.
2. A ruling and determination that the Court has personal jurisdiction over the individual defendants, the corporate defendants, and the artificial entity defendants.
3. A ruling and determination on whether the Defendants motion to dismiss was proper because they failed to serve the same papers on the plaintiff that were filed with the court as advanced in the Plaintiff's return to the motion to dismiss.
4. A ruling on whether the complaint adequately alleges the elements for civil conspiracy as to each and every defendant.
5. A ruling and determination on whether the complaint adequately alleges the elements for defamation as it relates to Defendants Grant Meisner, Sheila Robinson, and Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, PA. defendants.
6. A ruling and determination of whether the comments and actions of defendants Grant Meisner, Grant Meisner, MD, LLC, and Sheila Robinson are privileged as alleged in the Defendants motion to dismiss.

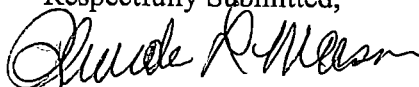
7. A ruling and determination that the family court does not have exclusive jurisdiction over the claims in this case as alleged by Defendants Grant Meisner and Grant Meisner, MD, LLC.
8. A ruling and determination that any injunction against future events by defendants Grant Meisner and Grant Meisner, MD, LLC is unconstitutional.
9. A ruling and determination that this complaint is not frivolous as alleged by the Defendants Grant Meisner and Grant Meisner, MD, LLC in the counterclaims.
10. A ruling and determination that attorneys' fees are not available to Grant Meisner and Grant Meisner, MD, LLC
11. A ruling and determination that the complaint adequately alleges the elements required to maintain a cause of action for civil conspiracy, defamation, trespass, trespass after notice, invasion of privacy, false light, abuse of process, and disclosure of private information as to Defendant Sheila Robinson, Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, PA. defendants.
12. A ruling and determination that Any statements made by Defendant Sheila Robinson were made within the context of the parties' ongoing divorce proceedings. As a result, they are privileged, and the lawsuit should be dismissed with prejudice.
13. A ruling and determination that the allegations against Richard Whiting are outside of his Order of Appointment.
14. A ruling and determination that the allegations against Richard Whiting exceed his qualified privilege as an appointed guardian ad litem.

15. A ruling and determination that the allegations against Richard G. Whiting are outside of his Order of Appointment.
 16. A ruling and determination that the allegations against the Law Offices Richard Whiting, PA are outside of individual Order of Appointment of Richard G. Whiting.
 17. A ruling and determination that Defendants Grant Meisner and Grant Meisner, MD, LLC request for an injunction fails to identify the kind of injunction whether temporary or permanent and should be dismissed.
 18. A ruling and determination that Defendants Grant Meisner and Grant Meisner, MD, LLC request for an injunction fails to identify any kind of irreparable harm and should be dismissed.
 19. A ruling and determination that Defendants Grant Meisner and Grant Meisner, MD, LLC request for attorney's fees pursuant to the frivolous claims act is improper because he used the plaintiff's personal information without permission.
 20. A ruling and determination that the plaintiff did not need to allege special damages in pleading for civil conspiracy.
 21. A ruling and determination that defendants are required to participate in mediation and discovery as required by the rules.
 22. A ruling and determination that any dismissal of any Defendants is without prejudice.
- For the above reasons as advanced in the filed responses to the Defendant's Motion to Dismiss, the filings in this case, and the arguments advanced in the Motion to Dismiss hearing and this Motion for reconsideration, the Plaintiff respectfully requests a hearing on this Motion to Alter and Amend.

SIGNATURE LINE NEXT PAGE

December 16, 2012

Respectfully Submitted,



Rhonda Meisner

PO Box 689

Blythewood, SC 29016

scorequipment@gmail.com

(803)206-3402

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Rhonda Meisner

Plaintiff,

v.

Grant Meisner; Grant Meisner, MD, LLC;
Sheila Robinson; Erwin Mangubat, MD;
Moore, Taylor, & Thomas, P.A.; Moore
Taylor Law Firm, P.A.; Moore Bradley
Myers Law Firm, PA.; Tricia L. Flowers;
Flowers Consulting, LLC; Flowers
Consulting, LLC; Richard G. Whiting,
Esquire; Law Offices of Richard G. Whiting,
PA. John Doe, (1-10) a fictional name
assigned to identify parties that are not yet
known or not yet determined.

IN THE CIRCUIT COURT FIFTH
JUDICIAL CIRCUIT

DOCKET NO.2022-CP-40-01415

^B
~~A~~
**EXHIBIT ATTACHED TO
MOTION TO ALTER AND AMEND
PURSUANT TO S.C.R.C.P. RULE 52
AND RULE 59**

**EXHIBIT B
PLAINTIFF'S FILED AFFIDAVIT OF DEFAULT
OF TRICIA L. FLOWERS
AFFIDAVIT OF SERVICE FOR TRICIA L.
FLOWERS**

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Rhonda Meisner

Plaintiff,

v.

Grant Meisner; Grant Meisner, MD, LLC;
Sheila Robinson; Erwin Mangubat, MD;
Moore, Taylor, & Thomas, P.A.; Moore
Taylor Law Firm, P.A.; Moore Bradley
Myers Law Firm, PA.; Tricia L. Flowers;
Flowers Consulting, LLC; Flowers
Consulting, LLC; Richard G. Whiting,
Esquire; Law Offices of Richard G. Whiting,
PA. John Doe, (1-10) a fictional name
assigned to identify parties that are not yet
known or not yet determined.

IN THE CIRCUIT COURT FIFTH
JUDICIAL CIRCUIT

DOCKET NO. 2022-CP-40-01415

*Exhibit
C*

**DECLARATION OF RHONDA
MEISNER PURSUANT TO 28 U.S.C. §
1746**

+

My name is Rhonda Meisner, and I am the plaintiff in this action and over 18 and capable of making this declaration under penalty of perjury for the truth of the matters herein. I declare the following facts to be true except those fact that are submitted upon information and belief; however, I believe those facts to be true as well.

1. I attended the motions hearings on December 2, 2022 before the Honorable Justice Jean Toal. I did not see Grant Meisner, Richard Whiting, or Erwin Mangubat, MD in attendance at the hearing, nor did I receive any papers excusing their absence prior to the hearing nor did I hear any request for the Defendants to be excused from the hearing.
2. I never received any hearing notices from any defendants for their motions to be heard on December 2, 2022 prior to the hearing, but I filed and served the hearing notice on all defendants 10 days in advance of the hearing on my motions.

The above statements are true and subject to penalty of perjury.

*December 27, 2022
Scrubbed & signed this day*

*Rhonda Meisner Plaintiff
Rhonda Meisner
SC DL# ending in 1138*

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Rhonda Meisner

Plaintiff,

v.

Grant Meisner; Grant Meisner, MD, LLC; Sheila Robinson; Erwin Mangubat, MD; Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, PA.; Tricia L. Flowers; Flowers Consulting, LLC; Flowers Consulting, LLC; Richard G. Whiting, Esquire; Law Offices of Richard G. Whiting, PA. John Doe, (1-10) a fictional name assigned to identify parties that are not yet known or not yet determined.

IN THE CIRCUIT COURT FIFTH
JUDICIAL CIRCUIT

DOCKET NO.2022-CP-40-01415

AFFIDAVIT OF DEFAULT FOR
TRICIA I. FLOWERS

JEANETTE W. MCERIDE
C.C.P., G.O., & F.C.

2022 JUL 13 PM 4:20

RICHLAND COUNTY
FILED

My name is Rhonda Meisner, and I am the plaintiff in this action I am over 18 years old and competent to make this affidavit under penalty of perjury, having been duly sworn deposes and says the facts are as follows:

1. I am the plaintiff in this action.
2. I sent a copy of the amended coversheet, amended summons, and amended complaint via certified mail to Tricia Flowers at 69 Cherry Grove Drive West Columbia, SC 29170 on May 16, 2022, as evidenced by the attached copy of the certified mail receipt. ¹ Ms. Flowers did not sign for any of the documents sent to her.
3. I requested Grindstone Process Servers to serve Tricia Flowers and Flowers Consulting, LLC.

¹ EXHIBIT 1 Certified mail receipt.

4. Pursuant to the Proof of Services filed herein, the Defendant Tricia Flowers was served a copy of the coversheet, summons, complaint, the amended coversheet, amended summons, and amended complaint on June 4, 2022, by Grindstone Process Servers.²
5. Upon information and belief, the Defendant Tricia Flowers is the registered agent for Flowers Consulting, LLC, and the proper address for service for Flowers Consulting, LLC is 69 Cherry Grove Drive West Columbia, SC 29170.³
6. Upon information and belief, the Defendant, Tricia Flowers is not now, and was not at the time of the commencement of this action, in the military services of the United States Government as is contemplated under the Soldiers and Sailors Civil Relief Act.

FURTHER AFFIANT SAYETH NOT

July 13, 2022

Rhonda Meisner

Rhonda Meisner
 PO Box 689
 Blythewood, South Carolina 29016
 scorequipment@gmail.com
 (803)206-3402

Clayton Carimi

Notary for the State of South Carolina

My commission expires on 22nd day of November 20 23.



CLAYTON CARIMI
 NOTARY PUBLIC
 SOUTH CAROLINA
 MY COMMISSION EXPIRES
 11/22/2023

² EXHIBIT 2 Affidavit of Service of Process for Tricia Flowers by Stacy Rose of Grindstone process servers.

³ EXHIBIT 3 Secretary of State's recording of Registered Agent.

EXHIBIT #2

AFFIDAVIT OF SERVICE

Case: 2022CP4001415	Court: The State Of South Carolina County Of Richland Court Of Common Pleas	County: Richland, SC	Job: 7160867
Plaintiff / Petitioner: Rhonda Meisner		Defendant / Respondent: Grant Meisner; Grant Meisner, MD, LLC; Sheila) Robinson; Erwin Mangubat, MD; Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, PA.; Tricia L. Flowers; Flowers Consulting, LLC; Flowers Consulting, LLC; Richard G. Whiting, Esquire; Law Offices of Richard G. Whiting, PA. John Doe, 0-10) a fictional name assigned to identify parties that are not yet known or not yet determined.	
Received by: Grindstone Process Servers		For: Rhonda L. Meisner	
To be served upon: Tricia Flowers			

I, Stacey Rose, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: Tricia Flowers, 69 Cherry Grove Dr, West Columbia, SC 29170

Manner of Service: Substitute Service - Personal, Jun 4, 2022, 11:53 am EDT

Documents: cover, summons, complaint, amended cover, amended summons, and amended complaint (Received May 30, 2022 at 4:00pm EDT)

Additional Comments:

1) Successful Attempt: Jun 4, 2022, 11:53 am EDT at 69 Cherry Grove Dr, West Columbia, SC 29170 received by Tricia Flowers. Ethnicity: Caucasian; Gender: Male; Relationship: Husband; Other: Take Flowers accepted documents;

Stacey Rose 6/4/22
Stacey Rose Date

Grindstone Process Servers
37 Arborland Court
Columbia, SC 29212
8032128831

Subscribed and sworn to before me by the affiant who is personally known to me.

Karen D. Reher
Notary Public
Date
NOTARY PUBLIC
COMMISSION EXPIRES
FEB. 26, 2026
SOUTH CAROLINA

Business Entities Online

File, Search, and Retrieve Documents Electronically

EXHIBIT
#3

FLOWERS CONSULTING, LLC

Corporate Information

Entity Type: Limited Liability Company

Status: Good Standing

Domestic/Foreign: Domestic

Incorporated State: South Carolina

Important Dates

Effective Date: 03/11/2010

Expiration Date: N/A

Term End Date: N/A

Dissolved Date: N/A

Registered Agent

Agent: TRICIA L. FLOWERS

Address: 69 CHERRY GROVE DRIVE
W. COLUMBIA, South Carolina 29170

Official Documents On File

Filing Type	Filing Date
Organization	03/11/2010

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Rhonda Meisner

Plaintiff,

v.

Grant Meisner; Grant Meisner, MD, LLC;
Sheila Robinson; Erwin Mangubat, MD;
Moore, Taylor, & Thomas, P.A.; Moore
Taylor Law Firm, P.A.; Moore Bradley
Myers Law Firm, PA.; Tricia L. Flowers;
Flowers Consulting, LLC; Flowers
Consulting, LLC; Richard G. Whiting,
Esquire; Law Offices of Richard G. Whiting,
PA. John Doe, (1-10) a fictional name
assigned to identify parties that are not yet
known or not yet determined.

IN THE CIRCUIT COURT FIFTH
JUDICIAL CIRCUIT

DOCKET NO.2022-CP-40-01415

**EXHIBIT A ATTACHED TO
MOTION TO ALTER AND AMEND
PURSUANT TO S.C.R.C.P. RULE 52
AND RULE 59**

**EXHIBIT A
PLAINTIFF'S FILED HEARING NOTICE**

Rhonda Meisner
PO Box 689
Blythewood, SC 29016
(803) 906-8409

The Honorable Jeanette McBride
Richland County Clerk of Court
Richland County Judicial Center
Post office Box 192
Columbia, SC 29202

2022 NOV 21 AM 9:09
JEANETTE W. MCBRIDE
C.C.P., G.S., & F.C.C.

RICHLAND COUNTY
FILED

cc. VIA email with motion attached to ward@mbmsc.com and via US Postal Service prepaid to James Edward Bradley PO Box 5709 West Columbia SC 29171
VIA email with motion attached to sburton@gibbesburton.com via US Postal Service prepaid to Stephanie Burton 308 E. St. John Street Spartanburg, SC 29302
VIA email with motion attached to jparham@jparhamlaw.com via US Postal Service prepaid to James Parham PO Box 1576 Irmo, SC 29063.

Dear Ms. McBride,

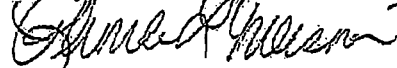
Enclosed please stamp and file 1. This letter 2. The Original Notice of Hearing 3. This Certificate of Service. If you would also kindly stamp the copy of the above and place it in the pre-stamped envelope I would appreciate your help.

Thank you in advance for your help.

November 19, 2022

November 21, 2022

Respectfully



Rhonda Meisner



STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Rhonda Meisner

Plaintiff,

v.

Grant Meisner; Grant Meisner, MD, LLC;
Sheila Robinson; Erwin Mangubat, MD;
Moore, Taylor, & Thomas, P.A.; Moore
Taylor Law Firm, P.A.; Moore Bradley
Myers Law Firm, P.A.; Tricia L. Flowers;
Flowers Consulting, LLC; Flowers
Consulting, LLC; Richard G. Whiting,
Esquire; Law Offices of Richard G. Whiting,
P.A. John Doe, (1-10) a fictional name
assigned to identify parties that are not yet
known or not yet determined.

IN THE CIRCUIT COURT FIFTH
JUDICIAL CIRCUIT

DOCKET NO. 2022-CP-40-01415


NOTICE OF MOTION HEARING FOR

1. MOTION TO DISMISS
COUNTER-CLAIMS OF
DEFENDANTS GRANT
MEISNER AND GRANT
MEISNER, MD, LLC
2. MOTION TO DISMISS THE
COUNTERCLAIMS OF
DEFENDANTS SHEILA
ROBINSON; MOORE TAYLOR
& THOMAS; MOORE TAYLOR
LAW FIRM; AND MOORE
BRADLEY MYERS LAW FIRM
3. MOTION TO DISMISS
COUNTERCLAIMS OF ERWIN
MANGUBAT AND FOR
SANCTIONS
4. MOTION FOR AFFIRMATIVE
RELIEF AS TO DEFENDANT
ERWIN MANGUBAT
5. MOTION TO APPOINT A
MEDIATOR AND PARTICIPATE
IN DISCOVERY AS TO ALL
DEFENDANTS

DECEMBER 2, 2022,

2:00 P.M.

BEFORE THE HONORABLE CHIEF
JUSTICE TOAL
COURTROOM 3A
RICHLAND COUNTY JUDICIAL
CENTER 1701 MAIN STREET
COLUMBIA SOUTH CAROLINA



2022 NOV 21 AM 9:10
JEANNETTE W. MCBRIDE
C.C.P. G.S. & F.C.

RICHLAND COUNTY
FILED

Rhonda Meisner
PLAINTIFF(S)

Grant Meisner et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

Various motions were heard on December 2, 2022; The Motion to Dismiss on behalf of Erwin Mangubat (filed 6/13/22) is GRANTED. The Motion to Dismiss on behalf of Law Office of Richard Whiting (filed 5/31/22) is GRANTED. The Motion to Dismiss on behalf of Richard Whiting (filed 5/2/22) is GRANTED. The Motion to Dismiss on behalf of Sheila Robinson (filed 4/12/22) is GRANTED. The Motion to Dismiss on behalf of Grant Meisner MD and Grant Meisner MD, LLC is GRANTED. The Motion to Quash (filed 6/15/22) is WITHDRAWN. The Motion for Protection (filed 6/20/22), Motion to Dismiss Counterclaims (filed 5/2/22) and Motion to Dismiss Counterclaims (filed 5/2/22) are all MOOT. The remaining Motion to Dismiss (filed 7/7/22) Motion for Appointment of Mediator (filed 10/11/22) Motion for Affirmative Relief (filed 7/2/22) and Motion to Dismiss (filed 6/24/22) are all DENIED as the parties have been DISMISSED.

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 12/14/2022.

Rhonda Meisner for Rhonda Meisner
John Doe (1-10)
Flowers Consulting, LLC.
Tricia L. Flowers
Rhonda Meisner for Rhonda Meisner

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



Richland Common Pleas

Case Caption: Rhonda Meisner vs Grant Meisner , defendant, et al
Case Number: 2022CP4001415
Type: Order/Electronic Form 4

So Ordered

Jean H. Toal

Electronically signed on 2022-12-14 12:23:44 page 3 of 3

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Rhonda Meisner

Plaintiff,

v.

Grant Meisner; Grant Meisner, MD, LLC; Sheila Robinson; Erwin Mangubat, MD; Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, PA.; Tricia L. Flowers; Flowers Consulting, LLC; Flowers Consulting, LLC; Richard G. Whiting, Esquire; Law Offices of Richard G. Whiting, PA. John Doe, (1-10) a fictional name assigned to identify parties that are not yet known or not yet determined.

IN THE CIRCUIT COURT FIFTH JUDICIAL CIRCUIT

DOCKET NO.2022-CP-40-01415

CERTIFICATE OF SERVICE MOTION TO ALTER AND AMEND

+

2022 DEC 29 AM 11:45
JEANETTE V. MOBRIDA,
C.O.P., S.S., & F.C.

RICHLAND COUNTY
FILED

The Plaintiff certifies she has served a copy of her letter to the Clerk of Court, MOTION TO ALTER AND AMEND, a copy of the Order affected by this motion and with this certificate of service in the United States Mail postage prepaid to the following defendants:

1. **Stephanie Burton** at 308 E. Saint John Street Spartanburg, SC 29302 for Richard Whiting and the Law Offices of Richard Whiting.
2. To James Edward Bradley of MOORE BRADLEY MYERS LAW FIRM, P. A Post Office Box 5709 West Columbia, South Carolina 29171 for Defendants **Sheila Robinson, Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, PA., Grant Meisner, and Grant Meisner, MD, LLC**
3. James E. Parham, Jr, P.A. for Erwin Mangubat, MD at Post Office Box 1576 Irmo, SC 29063. Additionally, all defendants, will be notified via the electronic filing system of the court.
4. Additionally, the plaintiff requested an additional stamped copy be placed in the mailbox of the Honorable Justice Jean Toal.

Respectfully Submitted,



Rhonda Meisner
PO Box 689
Blythewood, SC 29016
scorequipment@gmail.com
(803)206-3402

December 27, 2022

Richland County Common Pleas

Clerk : Jeanette W. McBride
Richland County Judicial Center
Columbia, SC 29201
(803) 576-1999

Received From: Meisner, Rhonda
P.O Box 689
Blythewood, SC 29016
Paying for: Self
Transaction Type: Payment
Payment Type: Money Order \$25.00
Total Paid: \$25.00

Date: 12/29/2022
Receipt #: 316061
Clerk: c40rmoorma
Reference #:9324
Comment:

Non-Refundable

Case #	Caption	Previous Balance	Amount Paid	Balance Due
2022CP4001415	Rhonda Meisner vs Grant Meisner , defendant, et al	\$25.00	\$25.00	\$0.00
Total Cases:	1	\$25.00	\$25.00	\$0.00

Exhibit C

Richland County Common Pleas
CASE HISTORY FOR CASE 2022CP4001415

Rhonda Meisner vs Grant Meisner , defendant, et al

FILED DATE: 3/18/2022

CASE TYPE: CP/Slander/Libel 380

STATUS: Served

ASSIGNED JUDGE: Clerk Of Court C P, G S, And Family Court

CASE PARTIES:

Plaintiff Meisner, Rhonda
P.O Box 689, Blythewood, SC 29016

Defendant Meisner, Grant

Defendant Grant Meisner, MD LLC

Defendant Robinson, Sheila

Defendant Mangubat, MD, Erwin

Defendant Moore, Taylor & Thomas, P.A.

Defendant Moore Taylor Law Firm, P.A.

Defendant Moore Bradley Myers Law Firm, PA

Defendant Flowers, Tricia L.

Defendant Flowers Consulting, LLC.

Defendant Whiting, Esquire, Richard G.

Defendant Law Offices of Richard G. Whiting, PA

Defendant Doe (1-10), John

Plaintiff Pro Se Meisner, Rhonda
P.O Box 689, Blythewood, SC 29016

Defendant Attorney Bradley, James Edward

Defendant Attorney Burton, Stephanie Holmes
 308 E. St. John St., Spartanburg, SC 29302

Defendant Attorney Parham, James E. Jr.
 PO Box 1576, Irmo, SC 29063

CASE HISTORY FOR CASE 2022CP4001415

<p>Meisner, Rhonda P.O Box 689 Blythewood, SC 29016</p>	<p>Age: Unknown DL#:</p>	<p>DOB: Unknown SSN: 000-00-0000</p>
---	---	---

COST	ORIGINAL	BALANCE DUE	DISBURSED	PAY PRIORITY
-------------	-----------------	--------------------	------------------	---------------------

Total:

DATE	TIME	EVENT DESCRIPTION
3/18/2022	3:23 PM	Filing recorded: Summons & Complaint
5/2/2022	11:39 AM	Motion/Dismiss The Counterclaims Of Defendants Grant Meisne
5/2/2022	11:40 AM	Motion/Dismiss Counterclaims Of Defendants Sheila Robinson;
5/2/2022	2:20 PM	Filing recorded: Proof Of Service
5/2/2022	11:42 AM	Filing recorded: Proof Of Service
5/2/2022	11:44 AM	Filing recorded: Return to The Motion to Dismiss the Complaint
5/2/2022	11:46 AM	Filing recorded: Amended Notice of Service
5/2/2022	11:46 AM	Filing recorded: Proof Of Service
5/2/2022	11:44 AM	Filing recorded: Return to Defendants
5/6/2022	4:26 PM	Filing recorded: Amended Summons
5/6/2022	4:26 PM	Filing recorded: Amended Complaint
5/16/2022	4:39 PM	Filing recorded: Notice of Service-Amended Complaint
5/16/2022	4:39 PM	Filing recorded: Certificate Of Service
5/16/2022	4:38 PM	Filing recorded: Return
5/16/2022	4:38 PM	Filing recorded: Certificate Of Service
6/2/2022	12:07 PM	Filing recorded: SC Court of Appeals Letter regarding Appeal filed
6/2/2022	12:09 PM	Filing recorded: NEF(06-02-2022 12:07:59 PM) Letter/Letter
6/3/2022	12:45 PM	Filing recorded: Plaintiff's Answer to Grant Meisner and Grant Meisner, MD
6/3/2022	12:45 PM	Filing recorded: Plaintiff's Answer To Moore, Taylor & Thomas PA; Moore Taylor
6/3/2022	12:45 PM	Filing recorded: Certificate Of Service
6/3/2022	11:14 AM	Filing recorded: Plaintiff's Answer To Grant Meisner and and Grant Meisner MD
6/3/2022	12:00 AM	C40TMONTGO recorded the following Case Note: Plaintiff's Answer to Grant Meisner and Grant Meisner, MD, LLC's Amended Answer and Counterclaims Filed April 12,2022

CASE HISTORY FOR CASE 2022CP4001415

6/3/2022	12:00 AM	C40TMONTGO recorded the following Case Note: Plaintiff's Answer to Grant Meisner and Grant Meisner, MD, LLC's Counterclaims Filed April 6, 2022
6/3/2022	12:00 AM	C40TDAVIS recorded the following Case Note: Plaintiff's Answer To Moore, Taylor & Thomas PA; Moore Taylor Law Firm PA; Moore Bradley Myers Law Firm PA; and Shelia Robinson
6/21/2022	12:17 PM	Filing recorded: Return/Other
6/21/2022	12:17 PM	Filing recorded: Certificate Of Service
6/24/2022	12:40 PM	Motion/Dismiss
6/24/2022	12:40 PM	Filing recorded: Certificate Of Service
7/5/2022	11:52 AM	Motion For Affirmative Relief
7/5/2022	11:52 AM	Filing recorded: Certificate Of Service
7/7/2022	4:50 PM	Filing recorded: Motion/Motion Filing Fee
7/7/2022	4:50 PM	Filing recorded: Motion/Motion Filing Fee
7/7/2022	4:46 PM	Motion/Dismiss
7/7/2022	4:46 PM	Answer to Amended Counterclaims/Motion to Dismiss
7/7/2022	4:45 PM	Filing recorded: Certificate Of Service
7/13/2022	4:20 PM	Filing recorded: Affidavit/Default for Tricia Flowers
7/13/2022	4:21 PM	Filing recorded: Certificate Of Service
8/5/2022	3:36 PM	Filing recorded: Duplicate of Plaintiff's Answer filed 07/07/2022
8/5/2022	3:37 PM	Filing recorded: Certificate/Certificate of Service
8/5/2022	12:00 AM	C40TDAVIS recorded the following Case Note: Plaintiff's Answer To Grant Meisner and Grant Meisner MD LLC's Amended Answer and Counterclaim Filed April 12, 2022
9/15/2022	12:00 AM	C40ASMITH recorded the following Case Note: FILED IN ERROR Order/SC Court of Appeals Order for Costs
9/15/2022	3:45 PM	FILED IN ERROR
9/15/2022	3:58 PM	Filing recorded: NEF(09-15-2022 03:45:42 PM) Order/Other
10/11/2022	11:49 AM	Motion For Appointment of Mediator And Participate Discovery
10/11/2022	11:49 AM	Filing recorded: Certificate Of Service
10/14/2022	3:26 PM	ADR/Alternative Dispute Resolution (Workflow)
10/27/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MOFREE - Motion For Appointment of Mediator And Participate Discovery added to Roster: 1899 - JUDGE TOAL MOTIONS Roster Begin Date 2022-12-31 - End Date 2022-12-31
10/27/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MDISMS - Motion/Dismiss added to Roster: 1899 - JUDGE TOAL MOTIONS Roster Begin Date 2022-12-31 - End Date 2022-12-31
10/27/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MDISMS - Plaintiff's Answer to Amended Counterclaims/Motion to Dismiss added to Roster: 1899 - JUDGE TOAL MOTIONS Roster Begin Date 2022-12-31 - End Date 2022-12-31
10/27/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MOFREE - Motion For Affirmative Relief added to Roster: 1899 - JUDGE TOAL MOTIONS Roster Begin Date 2022-12-31 - End Date 2022-12-31
10/27/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MDISMS - Motion/Dismiss added to Roster: 1899 - JUDGE TOAL MOTIONS Roster Begin Date 2022-12-31 - End Date 2022-12-31
10/27/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MDISMS - Motion/Dismiss Counterclaims Of Defendants Sheila Robinson; added to Roster: 1899 - JUDGE TOAL MOTIONS Roster Begin Date 2022-12-31 - End Date 2022-12-31
10/27/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MDISMS - Motion/Dismiss The Counterclaims Of Defendants Grant Meisne added to Roster: 1899 - JUDGE TOAL MOTIONS Roster Begin Date 2022-12-31 - End Date 2022-12-31

CASE HISTORY FOR CASE 2022CP4001415

11/16/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MOFREE - Motion For Appointment of Mediator And Participate Discovery removed from Roster: 1899 - PENDING MOTIONS IN RICHLAND COUNTY-NOT SCHEDULED FOR HEARING Roster Begin Date 2022-12-31 - End Date 2022-12-31
11/16/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MDISMS - Motion/Dismiss removed from Roster: 1899 - PENDING MOTIONS IN RICHLAND COUNTY-NOT SCHEDULED FOR HEARING Roster Begin Date 2022-12-31 - End Date 2022-12-31
11/16/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MOFREE - Motion For Affirmative Relief removed from Roster: 1899 - PENDING MOTIONS IN RICHLAND COUNTY-NOT SCHEDULED FOR HEARING Roster Begin Date 2022-12-31 - End Date 2022-12-31
11/16/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MDISMS - Motion/Dismiss removed from Roster: 1899 - PENDING MOTIONS IN RICHLAND COUNTY-NOT SCHEDULED FOR HEARING Roster Begin Date 2022-12-31 - End Date 2022-12-31
11/16/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MDISMS - Motion/Dismiss Counterclaims Of Defendants Sheila Robinson; removed from Roster: 1899 - PENDING MOTIONS IN RICHLAND COUNTY-NOT SCHEDULED FOR HEARING Roster Begin Date 2022-12-31 - End Date 2022-12-31
11/16/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MDISMS - Motion/Dismiss The Counterclaims Of Defendants Grant Meisne removed from Roster: 1899 - PENDING MOTIONS IN RICHLAND COUNTY-NOT SCHEDULED FOR HEARING Roster Begin Date 2022-12-31 - End Date 2022-12-31
11/16/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MOFREE - Motion For Appointment of Mediator And Participate Discovery added to Roster: 1906 - MOTIONS ROSTER CHIEF JUSTICE TOAL DECEMBER 2, 2022 COURTROOM 3-A Roster Begin Date 2022-12-02 - End Date 2022-12-02
11/16/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MDISMS - Motion/Dismiss added to Roster: 1906 - MOTIONS ROSTER CHIEF JUSTICE TOAL DECEMBER 2, 2022 COURTROOM 3-A Roster Begin Date 2022-12-02 - End Date 2022-12-02
11/16/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MOFREE - Motion For Affirmative Relief added to Roster: 1906 - MOTIONS ROSTER CHIEF JUSTICE TOAL DECEMBER 2, 2022 COURTROOM 3-A Roster Begin Date 2022-12-02 - End Date 2022-12-02
11/16/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MDISMS - Motion/Dismiss added to Roster: 1906 - MOTIONS ROSTER CHIEF JUSTICE TOAL DECEMBER 2, 2022 COURTROOM 3-A Roster Begin Date 2022-12-02 - End Date 2022-12-02
11/16/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MDISMS - Motion/Dismiss Counterclaims Of Defendants Sheila Robinson; added to Roster: 1906 - MOTIONS ROSTER CHIEF JUSTICE TOAL DECEMBER 2, 2022 COURTROOM 3-A Roster Begin Date 2022-12-02 - End Date 2022-12-02
11/16/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MDISMS - Motion/Dismiss The Counterclaims Of Defendants Grant Meisne added to Roster: 1906 - MOTIONS ROSTER CHIEF JUSTICE TOAL DECEMBER 2, 2022 COURTROOM 3-A Roster Begin Date 2022-12-02 - End Date 2022-12-02
11/16/2022	12:00 AM	C40ABORER recorded the following Case Note: Motion MDISMS - Plaintiff's Answer to Amended Counterclaims/Motion toDismiss removed from Roster: 1899 - PENDING MOTIONS IN RICHLAND COUNTY-NOT SCHEDULED FOR HEARING Roster Begin Date 2022-12-31 - End Date 2022-12-31
11/21/2022	9:09 AM	Filing recorded: Notice of Motion Hearing
11/21/2022	9:09 AM	Filing recorded: Certificate Of Service
12/15/2022	9:09 AM	Form 4 Various motions were heard on December 2, 2022; The M
12/15/2022	9:10 AM	Filing recorded: NEF(12-15-2022 09:09:53 AM) Order/Electronic Form 4

CASE HISTORY FOR CASE 2022CP4001415

12/15/2022	12:00 AM	C40ABORER recorded the following Case Note: Form 4 Various motions were heard on December 2, 2022; The Motion to Dismiss on behalf of Erwin Mangubat (filed 6/13/22) is GRANTED. The Motion to Dismiss on behalf of Law Office of Richard Whiting (filed 5/31/22) is GRANTED. The Motion to Dismiss on beh
12/15/2022	12:00 AM	C40ABORER recorded the following Case Note: Order mailed to Ms. Meisner
12/20/2022	12:00 AM	C40PGUNTER recorded the following Case Note: Form 4 Order filed 12/20/2022 mailed to Pro Se Plaintiff 12/20/2022
12/29/2022	11:45 AM	Motion/Alter and/or Amend
1/10/2023	9:57 AM	Order Denying Plaintiff's Motion to Alter or Amend
1/10/2023	9:57 AM	Filing recorded: NEF(01-10-2023 09:57:04 AM) Order/Other
1/10/2023	12:00 AM	C40PGUNTER recorded the following Case Note: Order mailed to Pro Se 01/10/2023
1/11/2023	11:53 AM	Motion/Alter and/or Amend
1/11/2023	11:54 AM	Filing recorded: Certificate Of Service

RECEIVED

Mar 09 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Justice Jean Toal, Circuit Court Judge

Case No. 2023-000232

Rhonda Meisner,

Appellant,

v.

Grant Meisner; Grant Meisner, MD, LLC; Sheila Robinson; Erwin Mangubat, MD; Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, P.A.; Tricia L. Flowers; Flowers Consulting, LLC; Richard G. Whiting, Esquire; Law Offices of Richard G. Whiting, P.A.; John Doe (1-10);

Respondents.

PROOF OF SERVICE

The undersigned, Stephanie H. Burton certifies that she is a member of Gibbes Burton, LLC and on the 9th day of March 2023, she served copies of the following:

1. Motion to Dismiss Appellant's Appeal;
2. Memorandum in Support of Motion to Dismiss Appeal of Respondents Richard G. Whiting and The Law Offices of Richard G. Whiting, P.A.; and
3. Affidavit of Stephanie H. Burton in Support of Motion to Dismiss Appellant's Appeal of Richard G. Whiting and The Law Offices of Richard G. Whiting, P.A.

by email and by depositing in the United States mail, with due and proper postage affixed thereto, copies of the same addressed to:

By U.S. Mail & Email:

Ms. Rhonda Meisner
P.O. Box 689
Blythewood, SC 29016
scorequipment@gmail.com

By Email:

Mr. James Edward Bradley
Moore Bradley Meyers Law Firm, P.A.
P.O. Box 5709
West Columbia, SC 29171
ward@mbmlawsc.com

Mr. James E. Parham, Jr.
James E. Parham, Jr., P.A.
P.O. Box 1576
Irmo, SC 29063
jparham@jparhamlaw.com

s/Stephanie H. Burton
Stephanie H. Burton

Stephanie H. Burton
sburton@gibbesburton.com



RECEIVED
Mar 09 2023
SC Court of Appeals

March 9, 2023
By E-Mail

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

Re: Rhonda Meisner v. Grant Meisner, Grant Meisner, MD, LLC, et al.
Appellate Case No. 2023-000232
C.A. No.: 2022-CP-40-01415

Dear Ms. Kitchings:

We are enclosing for filing the following:

1. Motion to Dismiss Appellant's Appeal;
2. Memorandum in Support of Motion to Dismiss Appeal of Respondents Richard G. Whiting and The Law Offices of Richard G. Whiting, P.A.;
3. Affidavit of Stephanie H. Burton in Support of Motion to Dismiss Appellant's Appeal of Richard G. Whiting and The Law Offices of Richard G. Whiting, P.A.; and
4. Proof of Service.

With kind regards,

Yours very truly,

GIBBES BURTON, LLC

A handwritten signature in blue ink that reads "Stephanie H. Burton". The signature is written in a cursive style.

Stephanie H. Burton

SHB/bre
Enclosures

308 East Saint John Street
Spartanburg, South Carolina 29302
Telephone 864.327.5000 • Facsimile 864.342.6884
www.gibbesburton.com

The Honorable Jenny Abbott Kitchings

March 9, 2023

Page 2 of 2

cc: Ms. Rhonda Meisner (w/enclosures)(by email and U.S. Mail)
Mr. James E. Parham, Jr. (w/enclosures)(by email)
Mr. James Edward Bradley (w/enclosures)(by email)