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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals  
[In The Supreme Court]

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APPEAL FROM ADMINISTRATIVE LAW COURT  
Phillip Lenski, Administrative Law Judge

Appellate Case No. 2024-000251

South Carolina Department of Employment and Workforce and Wells Fargo &  
Company, Inc. Respondents,

v.

Bridgette Chabot, Appellant.

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**MOTION TO STRIKE RESPONDENT SOUTH CAROLINA DEPARTMENT OF  
EMPLOYMENT AND WORKFORCE'S INITIAL BRIEF**

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In accordance with Rule 208 of the South Carolina Appellate Court Rules, Appellant Bridgette Chabot, Pro Se Litigant, hereby moves to strike/dismiss Respondent Wells Fargo's Initial Brief from the Record/Appeal; the Statement of the Case; defined as:

(C) **Statement of the Case** ... "the statement shall not contain contested matters."

Appellant Bridgette Chabot, Pro Se Litigant, hereby moves to strike and dismiss Respondent SC Dept. of Employment and Workforce's Initial Brief from the Record/Appeal;

On Page 3 of the Respondent SC Dept. of Employment & Workforce's Initial Brief, the "FACTS" section under the "**Statement of the Case,**" the Respondent writes: Appellant "entered that [Nadi's] ID into the system, and used it **to complete** the transaction." The Appellant Chabot

contests Wells Fargo's sole hearsay witness, Tracy McCarthy's testimony thoroughly during the trial and found on the record: "Tyler [Faizo] printed the cashier's check to complete his transaction for his customer." (*ROA, pg60 lines19-20*). "I took responsibility only for the investigative part of looking over the transaction." (*ROA, pg62, lines16-18*). **Contested statements include that this transaction was not in fact completed by the Appellant.** The basis of the Respondent's argument relies on the assumption that Appellant Chabot completed the transaction in question and therefore was responsible for the transaction. Assumptions are not facts and McCarthy's hearsay testimony was uncorroborated. The Appellant Chabot contested thoroughly that coworker Tyler Faizo completed the transaction. The Appellant Chabot confronted the Hearing Officer by trying to object to McCarthy's testimony: "I just want to state that this is false-" [interrupted by Hearing Officer when Appellant tries to object.] (*ROA, pg57 line19*) and the Appellant also asks to corroborate McCarthy's testimony: "I would be happy for somebody to subpoena that video and watch it." (*ROA, pg61 line8-9*). (In which the Hearing Officer replies the Appellant would of had to subpoena the footage beforehand, but even so, the Hearing Officer continuously questions the hearsay witness on what the footage contained.) Again, the surveillance footage McCarthy used to justify the Appellant's responsibility of the transaction and consequently her termination, was not entered in to evidence and not found in the record. **Appellant thoroughly contested that she did not in fact complete the transaction she was terminated for.** Therefore, the Respondent's basis of argument, relying on the "**Statement of the Case**" **relies solely on contested matters.** Again, in accordance with Rule 208 of the South Carolina Appellate Court Rules, the **Statement of the Case "shall not contain contested matters."** Appellant moves to strike and dismiss Respondent Wells Fargo's Initial Brief.

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