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SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM OCONEE COUNTY

Court of Common Pleas

Hon. R. Lawton McIntosh, Circuit Court Judge

Appellate Case No. 2024-000739

Dorothy Pierce Appellant,

V.

Jerry Edwards, Edwards Group Holdings, Inc., Edwards Printing, Respondent McDuff; MJM Law, LLC; Riley Morningstar; The Journal Newspaper; Hal Welch..... Respondents.

INITIAL BRIEF OF APPELLANT

Dated February 5, 2025

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STATEMENT OF ISSUES ON APPEAL

1. Whether the Circuit Court erred in granting summary judgment in favor of Respondents despite substantial evidence demonstrating their direct role in defamation.
2. Whether the Circuit Court Erred in Granting Summary Judgment in Favor of Respondents Despite Substantial Evidence Demonstrating Their Direct Role in Tortious Interference with Appellant's Business.
3. Whether the Circuit Court violated South Carolina law and Appellant's due process rights by signing the April 2, 2024, summary judgment order without allowing Appellant to review or object to the draft order before its entry.
4. Whether the Circuit Court erred in disregarding material factual disputes, improperly resolving contested facts in favor of Respondents, and thereby violating Appellant's constitutional right to a jury trial.
5. Whether the Circuit Court misapplied the law by ruling that Respondents' defamatory statements were not actionable despite evidence showing that Respondents knowingly published false accusations of criminal conduct against Appellant, constituting defamation per se.
6. Whether the Circuit Court erred in ruling that Appellant lacked standing to bring a claim for tortious interference with business relationships, despite evidence that Appellant personally funded and controlled the advertising contract in question.
7. Whether the Circuit Court erred in dismissing Appellant's contractual interference claim on the basis that the contract was in the name of Appellant's single-member LLC, despite South Carolina law recognizing standing in cases of direct financial and reputational harm.
8. Whether the Circuit Court failed to properly analyze Respondents' role in pressuring The Journal to terminate Appellant's advertisements, resulting in a direct loss of business opportunities and financial damages to Appellant.
9. Whether the Circuit Court erred in disregarding evidence that Respondents, particularly Richard McDuff, used improper influence to sabotage Appellant's advertising campaign and professional relationships, thereby engaging in tortious interference.
10. Whether the Circuit Court erred in finding that Appellant failed to establish a causal connection between Respondents' actions and her business losses, despite substantial

evidence demonstrating that Respondents' conduct directly led to lost contracts, revenue, and reputational harm.

11. Whether the Circuit Court erred in granting summary judgment without considering the cumulative impact of Respondents' conduct, including their concerted efforts to defame, discredit, and financially cripple Appellant.
12. Whether the Circuit Court improperly upheld claims of attorney-client privilege to shield key discovery materials, despite evidence showing that Respondent McDuff had no privileged relationship with The Journal or its reporters.
13. Whether the Circuit Court erred in failing to compel the disclosure of communications between McDuff and The Journal, which contained critical evidence regarding McDuff's role in the defamatory publications.
14. Whether the Circuit Court erred in refusing to consider evidence demonstrating that Respondents acted with actual malice and reckless disregard for the truth when publishing defamatory statements against Appellant.
15. Whether the Circuit Court improperly failed to rule on Appellant's pending discovery motions, including motions to compel and motions to strike hearsay evidence, before granting summary judgment.
16. Whether the Circuit Court misapplied South Carolina summary judgment standards by prematurely granting summary judgment despite the existence of multiple genuine issues of material fact that should have been decided by a jury.
17. Whether the Circuit Court erred in ignoring Appellant's evidence proving financial damages, lost business contracts, and the termination of advertising agreements directly caused by Respondents' unlawful actions.
18. Whether the Circuit Court erred in finding that Appellant's defamation and business interference claims were speculative, despite Appellant's submission of sworn affidavits, business records, and third-party statements corroborating her claims.
19. Whether the Circuit Court's ruling, which shielded Respondents from liability despite overwhelming evidence of their coordinated efforts to harm Appellant, constitutes an abuse of discretion requiring reversal on appeal.

STANDARD OF REVIEW

In reviewing the grant of summary judgment, the appellate court applies the same standard as the trial court under Rule 56(c), SCRPC. Summary judgment is appropriate only when there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law. *Baughman v. American Tel. & Tel. Co.*, 306 S.C. 101, 114-15, 410 S.E.2d 537, 545 (1991). In determining whether summary judgment is proper, the evidence and all reasonable inferences must be viewed in the light most favorable to the nonmoving party. *Id.* at 115, 410 S.E.2d at 545.

Summary judgment is a drastic remedy and must not be granted until the opposing party has had a full and fair opportunity to complete discovery. *Id.* at 112, 410 S.E.2d at 543. However, the nonmoving party must show a likelihood that further discovery will uncover additional relevant evidence and that the request for discovery is not merely a 'fishing expedition.' *Id.* at 112, 410 S.E.2d at 544.

In South Carolina, appellate courts apply the same standard as the trial court when reviewing a grant of summary judgment, determining whether there are no genuine issues of material fact and viewing all reasonable inferences in favor of the nonmoving party. *Argoe v. Three Rivers Behavioral Ctr. & Psychiatric Solutions*, 388 S.C. 394, 400, 697 S.E.2d 551, 554 (2010).

Additionally, when a claim is subject to the preponderance of the evidence standard, the non-moving party only needs to present a mere scintilla of evidence to withstand summary judgment. *Hancock v. Mid-South Mgmt. Co.*, 381 S.C. 326, 330, 673 S.E.2d 801, 803 (2009).

Furthermore, summary judgment is improper where credibility determinations are necessary or where evidence is subject to multiple reasonable interpretations. *Baughman*, 306 S.C. at 114, 410 S.E.2d at 545. Where the factual record is incomplete or material facts remain disputed, summary judgment must be denied to allow a jury to resolve those factual disputes.

The Circuit Court improperly granted summary judgment despite multiple genuine disputes of material fact requiring jury determination. It failed to consider evidence of Respondent McDuff's involvement in publishing defamatory statements and disregarded substantial proof of tortious interference. The court also overlooked clear evidence of damages, including financial losses and reputational harm. Credibility determinations regarding intent and malice should have been left to a jury. Furthermore, the court dismissed due process claims without full evidentiary development and issued its order without allowing Appellant to review the draft, violating

procedural fairness. Given these significant factual disputes, summary judgment must be reversed.

STATEMENT OF THE CASE

This appeal arises from a coordinated campaign of defamation and tortious interference orchestrated by Respondents Richard Hunt McDuff, MJM Law LLC, and *The Journal* Defendants, resulting in significant reputational and financial harm to Appellant Dorothy Pierce. The case is further marked by serious procedural irregularities, including Respondents drafting the summary judgment order, filing it with the court, and obtaining the judge's signature without serving Appellant a copy for review. Additionally, Respondents withheld key evidence under false claims of attorney-client privilege and failed to disclose the court's ruling to Appellant for months—effectively depriving her of the opportunity to challenge its findings.

Defamation Claim

Appellant's defamation claim stems from a series of false and damaging articles published by *The Journal* between March 4, 2022, and March 8, 2022, which falsely accused Appellant of engaging in criminal conduct, specifically vote-buying in Uganda. These allegations had already been discredited and rejected by the court when McDuff attempted to introduce them as evidence during an August 2, 2021, probate hearing. Rather than accepting the court's ruling, McDuff repackaged and supplied these same false allegations to *The Journal*, ensuring their publication through extensive pre-planned communications with journalist Riley Morningstar.

Despite clear documentary evidence linking McDuff to the sourcing, drafting, and ensuring publication of defamatory content, the Circuit Court erroneously granted summary judgment in favor of Respondents, concluding that McDuff did not "publish" the defamatory statements himself. This misapplies South Carolina defamation law, which holds that a defendant need not physically publish a statement to be liable if they directed, facilitated, or supplied defamatory content for publication.

Tortious Interference with Contract Claim

McDuff's deliberate interference with Appellant's business interests further forms the basis of this appeal. In July 2021, Appellant personally entered into an advertising contract with *The Journal* to promote her company, American Pharma Machinery, LLC. Appellant negotiated and funded the contract herself, with the advertisements featuring her name, image, and business identity, making it clear that the contract directly benefited her as an individual.

Upon seeing Appellant's picture in the advertisements, McDuff personally intervened, leveraging his influence over The Journal to have the contract terminated. Immediately following McDuff's direct involvement, The Journal discontinued Appellant's advertisements, causing substantial financial harm by cutting off her ability to market her business and leading to lost customer engagement and revenue.

The Circuit Court again erred in granting summary judgment, reasoning that the contract was between The Journal and Appellant's LLC, not Appellant personally, and therefore, Appellant lacked standing. This misinterprets established law, which holds that when an individual personally finances, negotiates, and is the primary beneficiary of a contract, they have standing to bring an interference claim.

Procedural Irregularities and Withholding of Evidence

In addition to substantive legal errors, this appeal also seeks to remedy significant procedural irregularities that compromised the fairness of the proceedings in the Circuit Court.

- i. Respondents Drafted the Circuit Court's Summary Judgment Order: The order granting summary judgment was entirely drafted by Respondents, rather than being an independent decision of the court. This raises serious due process concerns as it resulted in the adoption of Respondents' legal arguments without any judicial scrutiny.
- ii. Order Withheld from Appellant for Months: The Circuit Court's summary judgment ruling was not disclosed to Appellant until months after it was issued, depriving her of a timely opportunity to challenge its findings or to request reconsideration. This constitutes a clear violation of due process.
- iii. Respondents Withheld Key Evidence Under False Claims of Attorney-Client Privilege: Throughout discovery, Respondents deliberately withheld critical evidence, falsely claiming that certain communications and documents were protected under attorney-client privilege, when no such privilege applied. This intentional suppression of material evidence directly impacted Appellant's ability to oppose summary judgment. The concealed evidence would have further confirmed McDuff's role in directing and ensuring the publication of defamatory statements.

Notice of Appeal and Basis for Reversal

On May 3, 2024, Appellant filed a Notice of Appeal, asserting that the Circuit Court erroneously granted summary judgment by failing to recognize:

- i. McDuff's direct involvement in the defamatory publications, despite overwhelming documentary evidence linking him to the drafting, sourcing, and publication of false statements.
- ii. McDuff's active interference with Appellant's advertising contract, despite evidence confirming that he personally pressured The Journal to terminate the contract.
- iii. Appellant's clear standing to bring both claims, as she personally negotiated and funded the advertising contract, and was the direct target of Respondents' defamatory and tortious conduct.
- iv. Respondents' intentional withholding of critical evidence under a false claim of attorney-client privilege, which deprived Appellant of key documentation supporting her claims.
- v. Procedural irregularities surrounding the Circuit Court's order, which was drafted by Respondents and withheld from Appellant for months, depriving her of a meaningful opportunity to challenge its findings.

Given these clear legal errors, suppression of evidence, and due process violations, the Circuit Court's ruling must be reversed. Appellant respectfully requests that the Court of Appeals overturn the summary judgment order and remand the case for trial, where a jury can properly assess the damages caused by Respondents' wrongful actions.

FACTUAL BACKGROUND

History of the Dispute

The dispute between Appellant and Respondents arose from a long-standing legal and business relationship that ultimately deteriorated into a targeted effort to undermine Appellant's inheritance and business interests, orchestrated by Respondent Richard Hunt McDuff.

In June 2020, while her late husband, Doyle Elton Pierce, was still alive, Appellant leased a commercial property from Cornerstone of Greenville, LLC to operate a face mask manufacturing business. Respondents represented Cornerstone in the lease negotiations, and Appellant entered into the lease in her personal capacity, rather than through her company, American Pharma Machinery, LLC. The facility became the operational base of Appellant's business, which she personally funded and managed.

At the time of the lease execution, Respondent McDuff acted as a witness for Cornerstone, while Appellant's husband, Doyle Pierce, served as her witness, marking the beginning of a business relationship that would later unravel into legal disputes.

On July 7, 2020, Doyle Pierce executed a will that accurately reflected his longstanding inheritance discussions with all involved parties. He openly communicated his intentions regarding his estate, even personally showing his two sons—who would later become Respondents' clients—the specific land they were to inherit.

Following Doyle Pierce's passing on September 14, 2020, Appellant was appointed as Personal Representative (PR) of his estate on September 23, 2020. Shortly after, his estranged son, Jared Adam Pierce, hired Respondents to contest the will. Despite knowing that the will accurately reflected Doyle's true intentions, Respondents proceeded with a legal challenge, relying on fraudulent means to invalidate the will.

Fraudulent Invalidation of the Will

This case is inextricably linked to the fraudulent invalidation of the July 7, 2020, Last Will and Testament of Doyle Elton Pierce, which led to Appellant's wrongful removal as PR and subsequent legal battles.

To support the fraudulent claim of forgery, Respondent McDuff submitted a series of manipulated and forged signature exemplars, which were copied and pasted onto a single sheet

of paper instead of producing the original documents for verification. The so-called “evidence” consisted of outdated, unverifiable signatures, allegedly from as early as 1965, none of which were authenticated or properly examined.

A key document in this fraudulent scheme was a May 18, 2020, FEMA letter, which was indisputably forged by Jared Adam Pierce. Jared was not present on the date the letter was allegedly signed, and his wife, Sandra Pierce, later confirmed that Jared attempted to coerce her into falsely claiming that she had witnessed the decedent sign the letter. Sandra refused, stating that she had no recollection of such a document being executed, further exposing the fraudulent nature of the evidence used to contest the will.

Despite these obvious fabrications, the Probate Court relied on this fraudulent evidence to remove Appellant as PR on August 18, 2021. The decision was not based on any fiduciary misconduct but rather on deliberately falsified documents that were withheld from Appellant before trial, depriving her of due process and the opportunity to challenge their authenticity.

In a further procedural irregularity, Judge Kenneth Earl Johns denied Appellant’s motion for a new trial on his last day in office before his suspension became public, raising serious concerns about the legitimacy of his ruling.

Despite Appellant filing a timely appeal of the August 18, 2021, removal order, which automatically stayed her removal under South Carolina Rule 241(a), the Probate Court improperly appointed a Special Administrator, Adam Lee, in violation of the stay. The validity of the removal order, and the fraudulent evidence underpinning it, remains under review in the ongoing appeal (Case No. 2021-001552).

Respondents’ Use of Fraudulent Evidence for Defamation

Beyond their fraudulent legal maneuvers in probate court, Respondents escalated their campaign against Appellant by attempting to tarnish her public reputation through defamatory publications.

During an August 2, 2021, probate court hearing, Respondent McDuff sought to introduce an unverified article published by the Alliance for Campaign Finance Monitoring (ACFIM), which falsely accused Appellant of vote-buying in Uganda. The article contained a misleading photograph of Appellant holding money, which McDuff attempted to present as evidence of illegal conduct.

However, the court rejected McDuff's arguments, finding the claims irrelevant and unsubstantiated. Appellant explained that the funds in the photograph were used to provide water to a large crowd, not for any election-related activity. Having failed to introduce the defamatory allegations in court, Respondent McDuff then provided the article to *The Upstate Journal*, using the media as a tool for defamation.

Between March 4, 2022, and March 8, 2022, *The Journal* published a series of defamatory articles repeating McDuff's discredited allegations, falsely accusing Appellant of criminal misconduct in Uganda. These publications were not independently researched but rather directly orchestrated by McDuff through coordinated email exchanges with journalist Riley Morningstar.

The court's initial rejection of these claims underscores McDuff's deliberate intent to defame Appellant, shifting from failed legal arguments to a targeted smear campaign through the press.

This pattern of fraudulent conduct—first in probate court, then through defamatory publications—demonstrates Respondents' intent to systematically undermine Appellant's reputation and business interests. The Probate Court's reliance on fabricated evidence resulted in the wrongful removal of Appellant as PR, a matter that remains under appeal. Meanwhile, Respondent McDuff's deliberate efforts to repurpose discredited allegations into defamatory media publications further highlight his active role in harming Appellant's reputation.

This coordinated legal and media attack lies at the heart of the present appeal, necessitating a full review of the fraudulent means used by Respondents to invalidate the will and smear Appellant through false public allegations.

Respondents' Direct Role in the Defamation of Appellant

Respondent McDuff played a pivotal role in the defamation campaign against Appellant by actively coordinating with media outlets, supplying defamatory content, and facilitating direct connections between reporters and individuals willing to provide incriminating statements against Appellant.

Following the August 2, 2021, probate trial, Respondent McDuff actively sought to disseminate the discredited article that had been excluded from court proceedings. Within days, he arranged a lunch meeting with Respondent Jerry Edwards, proprietor of *The Journal* newspaper, with the intent to spread false and damaging information about the Appellant. During his deposition on

October 4, 2023, Respondent McDuff admitted initiating this meeting and explicitly discussing the Appellant, acknowledging that he intended to share the information for publication.

Respondent Richard McDuff and his law firm, MJM Law, LLC, serve as legal representatives for Edwards Group LLC. However, Respondents do not represent The Upstate Journal or Oconee Publishing, as it is an employee-owned company. This distinction is critical because Respondents also did not represent Respondent Riley Morningstar, who was an employee-owner of The Upstate Journal and not a client of MJM Law, LLC.

During his deposition, Morningstar unequivocally testified that McDuff was not his personal attorney and that he had never retained McDuff for legal services. Specifically, Morningstar stated: ***"No. I haven't paid him a dollar, so I would not call him my attorney."*** When further questioned about whether McDuff represented Oconee Publishing Inc., Morningstar responded: ***"I would not be privy to that information because I'm not paying him, so I don't know."***

This testimony directly contradicts Respondents' assertion of attorney-client privilege over communications between McDuff and Morningstar. Since McDuff had no formal legal representation relationship with Morningstar or Oconee Publishing, any attempt to shield documents exchanged between them under the guise of attorney-client privilege is baseless and legally untenable.

When questioned, Respondent McDuff stated that he told Edwards, ***"Have you ever heard of somebody who's calling herself The Queen? I just had a will contest hearing or trial with her, and the court found that the will she submitted was fraudulent and removed her as the personal representative of the estate."*** He further confirmed his awareness that Edwards owned a media publication and admitted that he viewed the information as "newsworthy" for dissemination. In his own testimony, Respondent McDuff stated, ***"I believed it to be newsworthy that somebody was here claiming to be a queen and submitted—married an elderly, white gentleman here in Oconee County. I believe that to be newsworthy, correct."***

As a direct result of this effort, *The Journal* published an article on March 4, 2022, titled ***'Queen' Passed Out Cash During Uganda Campaign***, written by Riley Morningstar. This article republished portions of the Appellant's Facebook page to falsely insinuate illegal conduct. Respondent McDuff's direct involvement in facilitating the spread of this falsehood demonstrates his deliberate use of the media to defame the Appellant after failing to introduce the same

information in court.

Following their meeting, Respondent Jerry Edwards connected Respondent McDuff with Respondent Riley Morningstar, a reporter for Oconee Publishing Inc., also known as *The Upstate Journal*. Upon information and belief, Respondent Morningstar has since been terminated from *The Upstate Journal* due to actions that caused liability to the company.

Between August 5, 2021, and August 17, 2021—just days before the Probate Court Judge was set to rule on the validity of Appellant’s husband’s will—Respondent McDuff engaged in undisclosed communications with journalist Riley Morningstar, fraudulently concealing these exchanges from discovery. McDuff had no known attorney-client relationship with Morningstar or Oconee Publishing Inc., raising serious concerns about the nature and intent of these communications.

Following the August 2, 2021, hearing, the Probate Court Judge sent a brief email stating his intent to set aside the Will and instructed McDuff to draft the order. Instead of adhering to this directive, McDuff exploited the process by drafting an order riddled with fraudulent assertions, falsely impeaching witnesses who had never been discredited in court and inserting baseless, defamatory statements as if he were the judge himself. Initially, McDuff’s draft did not challenge witness credibility, but after Appellant’s counsel argued that the Will could not be set aside based on unchallenged testimony, McDuff revised the order to retroactively impeach witnesses, thereby manipulating the legal outcome. During a deposition, McDuff later admitted that these false statements were merely his opinions rather than factual determinations, exposing his disregard for due process. After prolonged hesitation, Judge Johns signed the fraudulent order on August 18, 2021, primarily because Appellant’s attorney failed to read or object to McDuff’s draft. Appellant promptly appealed the order on August 23, 2021, but during the Circuit Court hearing on November 3, 2023, Judge Maddox refused to allow her to argue the case, siding with McDuff’s claim that she was not an attorney and therefore could not represent the estate. The appeal was denied solely on this procedural basis. In December 2021, Appellant filed an appeal with the South Carolina Court of Appeals, where McDuff’s motion to dismiss was ultimately denied, keeping the validity of the order under continued judicial review.

On August 27, 2021, Respondent McDuff sent an email to respondent Riley Morningstar, deliberately setting up a media spectacle. He wrote, “***There is a hearing taking place on Monday at 10:45 at the Oconee County Courthouse before Judge Maddox. It is in a related case where***

Queen Dorothy has been sued. The company that sued her is seeking a default judgment. I am seeking to intervene to protect the Estate. There should be fireworks.” This email confirms that Respondent McDuff sought to manipulate media coverage to publicly damage the Appellant rather than engage in legitimate legal proceedings.

Following this, Respondent McDuff continued to cultivate Morningstar as a media conduit. On August 30, 2021, Morningstar contacted McDuff, stating, **“Rick, great chatting with you today and thanks for the help. Please keep me posted.”** This exchange establishes that Respondent McDuff was directly feeding information and shaping narratives for publication in *The Upstate Journal* rather than merely responding to a journalist's inquiry. During this meeting, Respondent McDuff provided names of individuals he wanted Morningstar to interview, including his client Adam Pierce and Wendy Wells. By personally directing the media's coverage and selecting interviewees who would further his defamatory narrative, McDuff's role extended beyond that of an attorney into that of a deliberate instigator of reputational harm.

Later that same day, August 30, 2021, Respondent McDuff followed up with an email to Morningstar, stating, **“Riley, here is contact information for Wendy Wells: Mobile: 864-593-7797, Email: southernwelcome2003@yahoo.com. Rick.”** Prior to this, McDuff had met with Wendy Wells in his office, where her inflammatory and false statements against the Appellant excited him to the extent that he wanted them included in the published articles. By facilitating direct access to a witness known for making defamatory statements, Respondent McDuff was not acting in a legal capacity but was intentionally instigating a smear campaign.

Respondent McDuff's role in arranging interviews, feeding unverified claims to the media, and concealing evidence from discovery demonstrates a calculated effort to defame the Appellant rather than fulfill his obligations as legal counsel.

By August 2021, Adam Pierce, Respondent McDuff's client, had depleted his financial resources, including his 401k, to fund McDuff's legal campaign to disinherit the Appellant. This financial strain led to disputes with his wife, Sandra Pierce, culminating in their separation by September 17, 2021. Adam Pierce soon became homeless, staying briefly with his mother before being forced out and relocating to a motel. Struggling to finance his lawsuit, he sold his cars and ultimately fled to Finland to start a new life with another woman.

To facilitate his move, Respondent McDuff assisted Adam Pierce in filing fraudulent divorce

papers falsely claiming he had been separated from his wife for a year, despite knowing they had lived together just weeks earlier. McDuff prepared the document, which was notarized by his paralegal, Zana Hicks, both of whom were aware of the falsehood. Amidst his client's financial crisis, Respondent McDuff contacted Adam Pierce to inform him that Riley Morningstar would be publishing defamatory articles about the Appellant, demonstrating McDuff's intent to push a damaging narrative rather than engage in legitimate legal proceedings.

In early October 2021, Respondent Riley Morningstar then interviewed Adam Pierce, Respondent McDuff's client on the phone. Mr. Pierce made several false statements. Respondent Morningstar did not bother to ask if Adam Pierce had any evidence to substantiate his statements.

Between October 01, 2021, and November 08, 2021, Respondents Riley Morningstar and Respondent McDuff engaged in a series of email exchanges under the subject "**ICE FOIA Request 2022-ICFO-01616**" directed to Immigration and Customs Enforcement [ICE]. Their correspondence revolved around requesting documents related to any deportation orders or related materials concerning the Appellant. Respondent McDuff's ulterior motive in pursuing these requests was to potentially exploit deportation as a means to facilitate his client Jared's inheritance by having the Appellant removed from the country.

On February 09, 2022, the Appellant initiated a separate civil lawsuit against Respondent McDuff, his law firms MJM Law LLC and Merrell, John and Respondent McDuff PA, and his client Adam Jared Pierce in the Oconee Court of Common Pleas, Case No: 2022-CP-3700108. In this lawsuit, Respondent McDuff leveraged his position as the attorney for the Appellant's factory landlord to commit various wrongful acts against the Appellant. These acts included Interference with Contractual Interest, Conversion, and defamation. Subsequently, the Appellant amended the complaint on March 09, 2022.

On February 11, 2022, a former Appellant employee, Sherry Burgess with whom Respondent McDuff had colluded and conspired to harm the Appellant's business, was served with a copy of the Appellant's complaint and summons, naming her as a Respondent. She then contacted Respondent McDuff and obtained the complaint for review, leading to Respondent McDuff's realization that a lawsuit had been filed against him and his accomplices. In response, Respondent McDuff promptly intensified his efforts, collaborating with Respondents Hal Welch and Jerry Edwards, both newspaper managers, to ensure the publication of defamatory articles. These

publications were triggered by the Appellant's lawsuit against Respondent McDuff in Case No: 2022-CP-3700108, initially filed on February 09, 2022, and amended on March 09, 2022.

On February 15, 2022, Respondent McDuff received personal service of the complaint and summons at his office in Seneca.

Furthermore, on February 15, 2022, Respondent Riley Morningstar updated Respondent McDuff about what he had so far written about the Appellant, stating: ***“Hey Rick, I've got essentially an intro story and another story done on Pierce. I've got to write up what Adam said about her for another. Then I'm going to write about her latest suit. Can you tell me if Dorothy was given a new trial in the probate mix up? I see Maddox turned down intervening in November, and she appealed to the state Supreme Court in December. Can you fill me in there?”***

In response to the above email from Respondent Morningstar, Respondent McDuff responded, ***“She was not given a new trial. On December 29, 2021, Judge Maddox affirmed the judgment of the Probate Court. She has now appealed to the South Carolina Court of Appeals. She was just ordered to retain South Carolina legal counsel within 30 days, or her appeal will be dismissed.”*** Again, Respondent McDuff was a news contributor, acting in his capacity. This communication also proved that he knew all the lies his client Adam Pierce had spewed to Riley Morningstar about the Appellant and encouraged it to be published.

On February 17, 2022, Respondent sent an email to Respondent Riley Morningstar stating: ***“See attached article. Apparently, she is wearing the same dress she wore to Doyle Pierce’s funeral.”***

On February 23, 2022, Respondent Riley Morningstar sent a follow-up email to Respondent McDuff stating, ***“Hey Rick, do you have the date the Court of Appeals told her she had to get counsel in 30 days.”*** Respondent McDuff was still acting as a news contributor and a source.

On March 02, 2022, Respondent McDuff sent Riley Morningstar an email stating: ***“If you want to be entertained, watch her 6/17/2021, on her Team Dorothy Amolo Facebook page.”*** On March 04, 2023, Riley published this portion of Appellant’s Facebook page on his article titled: ‘Queen’ passed out cash during Uganda campaign,” stating, ***“In a Facebook group last June titled “Team QUEEN DOROTHY AMOLO,” one user shared a video of Pierce promising to show Ugandans how to make “millions of shillings” on social media platforms, but only after she had 100,000 followers. Her Facebook page has more than 47,000 likes.”*** During his deposition when pressed

by Appellant if he had published any article related to Respondent McDuff's email regarding Appellant's Facebook Page, Respondent Morningstar stated that: "***I believe in one of the articles we mentioned you had a fan following or a Facebook page following***" and that it was taken from Respondent McDuff's Email.

The March 4, 2022, defamatory publication relied on the same article that Respondent McDuff attempted to introduce in court on August 2, 2021, but was rejected by the probate court. Following the court's rejection, Respondent McDuff engaged in a series of communications with Respondent Riley Morningstar, aiming to republish the discredited article. Before the article's publication, the Appellant informed the Journal Defendants that the Alliance for Campaign Finance Monitoring had formally retracted the article and issued an apology. She also notified them that the Alliance had invited her as a guest speaker for their Women's Day event on March 9, 2022, demonstrating that the organization had not only retracted its claims but also publicly recognized her credibility. Additionally, the Appellant informed the Journal Defendants that the Alliance had been sued for defamation in the High Court of Uganda, had defaulted on the lawsuit, and was deemed to have admitted liability. Although the Alliance did not respond to the lawsuit, it voluntarily removed the article from its website and later issued a formal retraction and apology on January 3, 2024. Despite full knowledge of these facts, the Respondents deliberately proceeded with publishing the defamatory article, falsely accusing the Appellant of committing a crime, which constitutes *defamation per se*.

On March 9, 2022, *The Journal* published an article titled "***Pierce Files Lawsuit Against 18 Respondents for Billions.***" The article failed to disclose a conflict of interest between the publication and Respondent McDuff, who was actively involved in the lawsuit against him. It merely identified him as "a local attorney representing Jared Pierce," omitting his deeper role in shaping the very articles in question. The Journal claimed to have interviewed Respondent McDuff and quoted him saying, "***It has been an odyssey,***" yet the full interview recording—later withheld in discovery—contradicts this selective portrayal. This suggests an intentional manipulation of his statements. Evidence further indicates that Respondent McDuff, rather than acting solely as Jared Pierce's attorney, played an active role in drafting the publications alongside Riley Morningstar. His minimal direct quotes in the article disguise his substantial behind-the-scenes influence in shaping its content.

During his October 25, 2023, deposition, Respondent McDuff admitted to reviewing at least one article in his capacity as an attorney, stating, *"That's correct. Except for one. Except for the very last one after you filed suit, I was asked to review that one as an attorney."* However, Defendant Riley Morningstar testified that he never consulted Respondent McDuff as his lawyer.

The publication of these articles, authored in part by Respondent McDuff, not only undermined Appellant's litigation efforts but also significantly impacted potential settlement discussions. Prior to the release of the articles, FCCI Insurance Company had expressed an interest in settling with Appellant Pierce. However, following the defamatory portrayal by The Journal, with Respondent McDuff's evident participation, the Appellant's standing was diminished, evidenced by FCCI's subsequent low settlement offer of \$25,000 — a figure that starkly undervalues the damages incurred by Appellant's factory due to Clements Electricals' actions. This turn of events underlines the injurious effects of defamation on Appellant's ability to seek just remediation.

On March 17, 2022, Respondent McDuff, in a role blending news sourcing and contribution, forwarded a federal court decision via email to Riley Morningstar—actions indicative of Respondent McDuff operating outside the confines of his professional capacity as an attorney. The content shared by Respondent McDuff permeated Morningstar's writing and culminated in an article published by The Journal in their subsequent Publication, underscoring Respondent McDuff's active participation in media dissemination connected to the case against him.

Respondents repeatedly misled the court by fabricating claims of attorney-client privilege, submitting baseless privilege logs, and intentionally withholding critical evidence from discovery. This included interview recordings, ownership documents, draft articles, and communications between Jerry Edwards and Riley Morningstar, which were part of a coordinated effort to publish defamatory content. These materials were deliberately concealed to obstruct Appellant's ability to present her case.

Despite these privilege claims, there is no legal basis for asserting an attorney-client relationship between Respondent McDuff and Riley Morningstar. Morningstar has **explicitly denied any attorney-client relationship with McDuff** and has provided no evidence suggesting that McDuff ever represented him in any legal capacity. Likewise, McDuff has failed to establish that he had any privileged relationship with Oconee Publishing Inc., further invalidating his attempts to withhold key discovery materials. The absence of any legitimate attorney-client relationship

demonstrates that Respondents' privilege claims were a calculated effort to evade accountability and obstruct the discovery process.

Respondents' Direct Role in the Interference with Appellant's Business Interests

The Circuit Court erred in granting summary judgment by ruling that Appellant lacked standing to assert a tortious interference with contract claim. This conclusion ignored key legal and factual grounds, including Appellant's direct role in the contract, the targeted nature of the interference, and the damages she suffered due to Respondents' actions.

On June 15, 2020, while her late husband Doyle Pierce was still alive, Appellant Dorothy Pierce signed a lease agreement for a commercial factory space with Cornerstone of Greenville, LLC to house her business, American Pharma Machinery, LLC. The lease was executed in Appellant's personal name, establishing her as the legal lessee and primary contracting party. Appellant personally financed the business operations, using her own funds as capital, and was the sole decision-maker, operator, and representative of her company. The business was a single-member LLC, meaning all tax liabilities and financial obligations were personally attributed to Appellant.

Following Doyle Pierce's passing in September 2020, a dispute over his estate erupted when his son, Jared Adam Pierce, contested the validity of the will. Jared retained Respondent Richard Hunt McDuff of MJM Law, LLC to challenge the probate proceedings, launching a legal campaign against Appellant's inheritance and business interests.

During December 2020 through 2021, while Appellant was in Uganda, McDuff systematically infiltrated her business operations. As legal counsel for Cornerstone of Greenville, LLC, McDuff used his influence to gain access to the factory, engaged in misleading conversations with Appellant's employees, and persuaded them to resign. McDuff instructed employees, including Defendants Sherry L. Burgess, Nicholson Jerry, and Francesco Mejia Amando, to vacate the factory and surrender the business keys to the Oconee County Sheriff's Office, effectively barring Appellant from her own business. This act, which McDuff admitted to under oath in Paragraph 43 of Defendants' response to the Amended Complaint, directly disrupted Appellant's ability to continue operations.

Beyond dismantling the workforce, McDuff obtained confidential business information, including Appellant's client list, and then contacted customers with false claims that Appellant had fled the

country with their money. Misled by McDuff's deception, two clients filed criminal complaints against Appellant, both of which were later dismissed without Appellant's knowledge.

Additionally, McDuff provided unauthorized legal advice to Sherry Burgess, Appellant's former manager, who was entrusted with overseeing the factory. Despite not being retained by Burgess, McDuff encouraged her to take legal action against Appellant, a move that directly contributed to the financial collapse of the business.

Faced with severe disruptions, property loss, and financial setbacks, Appellant terminated her lease in January 2021 and relocated her business, incurring significant expenses. Business operations were only partially restored in August 2021, but McDuff's campaign of interference did not stop there.

Respondents' Interference with Appellant's Advertising Contract

After restarting her business, Appellant sought to rebuild her brand and attract customers. On July 30, 2021, she entered into an advertising contract with The Upstate Journal, investing in a marketing campaign to promote American Pharma Machinery, LLC. All contract negotiations were handled directly by Appellant, with all communications being addressed to her via the official business email. Importantly, Appellant personally funded the contract with her own money, making her the binding party to the agreement.

By August 7, 2021, Appellant's advertisements were successfully running in The Upstate Journal, generating significant customer engagement. However, upon seeing Appellant's picture in the ads, McDuff took immediate action to sabotage the campaign.

On August 10, 2021, McDuff used his long-standing relationship with Jerry Edwards, owner of The Upstate Journal, to pressure him into halting Appellant's advertisements. During his October 4, 2023, deposition, McDuff admitted that he initiated a conversation with Edwards specifically to discuss Appellant's business promotions.

When asked about his conversation with Edwards, McDuff testified:

"At one point in time, I think I had mentioned to Jerry Edwards, 'I see the same Queen advertising in your newspaper.'" "I saw there was like a quarter-page ad in The Journal one day, and I said if you want to -- the same person in the probate proceeding is the one that has run advertisements in your newspaper."

Following McDuff's conversation, The Journal abruptly terminated Appellant's advertising contract without notice. Appellant only discovered the cancellation after noticing a sharp decline in customer inquiries. When Appellant contacted The Journal's advertising department for clarification, she received an email from Larry Davidson, who informed her that the newspaper's attorney had advised against publishing her ads. At the time, McDuff was the only attorney associated with Edwards Group Holdings Inc..

When Appellant sought further clarification, she was directed to Defendant Hal Welch, who confirmed that The Journal would no longer run her advertisements. The sudden cancellation of Appellant's advertising campaign, immediately following McDuff's intervention, demonstrates a direct causal link between McDuff's interference and the breach of Appellant's advertising contract.

The Circuit Court's Erroneous Conclusion on Appellant's Standing

The Circuit Court erred in ruling that Appellant lacked standing to bring a tortious interference claim, as the contractual relationship and all communications clearly involved her directly—not just her LLC. The Respondents' interference was aimed at Appellant personally, affecting her business reputation, income, and contractual relationships. The following facts establish that Appellant, not just her company, was the direct party to the advertising contract:

1. Appellant was the primary contracting party: All negotiations were conducted in Appellant's personal capacity. Payments were made directly by Appellant, not her LLC.
2. Respondent McDuff's interference was directed at Appellant, not the LLC: The advertisements were terminated solely because of Appellant's identity. McDuff admitted that he sought their removal after recognizing Appellant's picture in them.
3. Appellant suffered direct personal harm: The interference resulted in financial losses and reputational harm. Appellant became unemployed as her sole income came from her business.
4. The LLC was an extension of Appellant's personal business identity: As a single-member LLC, Appellant's business was inseparable from her personal financial interests. Courts recognize standing in such cases where interference directly impacts an individual's ability to conduct business (*Huggins v. Citibank, N.A.*, 355 S.C. 329, 338, 585 S.E.2d 275, 278

(2003)).

By deliberately interfering with Appellant's advertising contract, McDuff not only sabotaged her marketing efforts but also crippled her ability to generate revenue and restore her business after his initial acts of interference.

ARGUMENT

I. The Circuit Court Erred in Granting Summary Judgment on Appellant’s Defamation Claim by Ignoring Substantial Evidence of Respondent McDuff’s Role in the Defamatory Publications

The Circuit Court erred in granting summary judgment by concluding that Appellant failed to prove that Respondent Richard McDuff and his law firm, MJM Law LLC, made or influenced defamatory statements published in *The Journal* on March 4, 5, and 8, 2022. Contrary to this finding, substantial documentary evidence, deposition testimony, and undisclosed communications unequivocally establish that McDuff was a primary source, contributor, and facilitator of the defamatory publications. The trial court’s reliance on the claim that McDuff did not personally write the articles is a misapplication of defamation law, which recognizes liability for orchestrating and contributing to defamatory statements, even if not the direct author.

To establish defamation, a plaintiff must prove: (1) a false and defamatory statement was made, (2) the statement was unprivileged and published to a third party, (3) the defendant was at fault, and (4) the statement was actionable per se or caused special harm (*Erickson v. Jones St. Publishers, LLC*, 368 S.C. 444, 465, 629 S.E.2d 653, 664 (2006)). Additionally, a defendant may be held liable even if they did not personally publish the defamatory statement, so long as they played a material role in its creation and dissemination (*Holtzscheiter v. Thomson Newspapers, Inc.*, 332 S.C. 502, 506, 506 S.E.2d 497, 500 (1998)). The Circuit Court disregarded these legal principles by ignoring overwhelming evidence that McDuff was directly involved in the defamatory articles.

The overwhelming evidence, including emails, deposition testimony, and concealed communications, unequivocally proves that Respondent Richard McDuff was not merely a source but an active contributor to the defamatory articles published in *The Journal* on March 4, 5, and 8, 2022. His role went beyond legal representation of Edwards; he fed defamatory content to the newspaper, directed interviews, reviewed drafts, and ensured the publication of falsehoods aimed at destroying Appellant’s reputation.

From the outset, McDuff initiated media coverage specifically to harm Appellant. On August 27, 2021, he contacted journalist Riley Morningstar, orchestrating press attention around a court hearing involving Appellant. He wrote, ***“There is a hearing taking place on Monday at 10:45 at***

the Oconee County Courthouse before Judge Maddox. It is in a related case where Queen Dorothy has been sued... There should be fireworks.” This email proves that McDuff was not merely responding to journalistic inquiries but was actively setting the stage for defamatory coverage.

Shortly after this initial contact, McDuff deepened his involvement in directing defamatory content. On August 30, 2021, Morningstar thanked him, writing, **“Rick, great chatting with you today and thanks for the help. Please keep me posted.”** This confirms that McDuff was providing substantial assistance in shaping the narrative rather than passively supplying facts. That same day, McDuff took an additional step by selecting and supplying Morningstar with sources willing to make defamatory statements against Appellant. He wrote, **“Riley, here is contact information for Wendy Wells: Mobile: 864-593-7797, Email: southernwelcome2003@yahoo.com.”** McDuff knew that Wendy Wells had made inflammatory statements about Appellant in his office, and he ensured those statements would be published in *The Journal*.

As Morningstar drafted the defamatory articles, he routinely consulted McDuff for guidance. On February 15, 2022, Morningstar sent McDuff an update on the status of multiple articles, stating, **“Hey Rick, I've got essentially an intro story and another story done on Pierce. I've got to write up what Adam said about her for another. Then I'm going to write about her latest suit.”** McDuff not only responded but actively shaped the content of the articles, writing, **“She was not given a new trial. On December 29, 2021, Judge Maddox affirmed the judgment of the Probate Court. She has now appealed to the South Carolina Court of Appeals...”** This email establishes that McDuff was not a neutral legal figure but a key player in crafting the defamatory articles.

Further evidence shows that McDuff continued feeding defamatory content to Morningstar, even after litigation had commenced. On February 17, 2022, he sent Morningstar an email reinforcing negative personal attacks against Appellant: **“See attached article. Apparently, she is wearing the same dress she wore to Doyle Pierce’s funeral.”** This statement had no legal relevance and serves as further proof that McDuff’s goal was to damage Appellant’s reputation rather than engage in legitimate legal discourse.

Perhaps most damningly, McDuff directly instructed Morningstar to include defamatory content in an article. On March 2, 2022, he sent an email directing Morningstar to a specific Facebook

post by Appellant: ***“If you want to be entertained, watch her 6/17/2021, on her Team Dorothy Amolo Facebook page.”*** Just days later, Morningstar’s March 4, 2022, article incorporated this exact reference, stating, ***“In a Facebook group last June titled ‘Team QUEEN DOROTHY AMOLO,’ one user shared a video of Pierce promising to show Ugandans how to make ‘millions of shillings’ on social media platforms.”*** During his deposition, when pressed by Appellant, Morningstar admitted that this portion of the article was taken directly from McDuff’s email, stating, ***“I believe in one of the articles we mentioned you had a fan following or a Facebook page following”*** and confirmed it came from McDuff’s email. This proves McDuff did not merely provide legal commentary—he actively authored defamatory content published in *The Journal*.

Despite his extensive involvement in shaping the articles, *The Journal* failed to disclose McDuff’s role. On March 9, 2022, *The Journal* published an article titled *“Pierce Files Lawsuit Against 18 Respondents for Billions.”* The article concealed McDuff’s editorial influence, referring to him simply as ***“a local attorney representing Jared Pierce.”*** Yet, in this very article, McDuff was quoted saying, ***“It has been an odyssey.”*** However, the full recording of his interview—which *The Journal* withheld from discovery—contradicts how his statements were selectively presented. This selective misrepresentation further proves a coordinated effort between McDuff and Morningstar to manipulate public perception against Appellant.

McDuff’s own admissions further cement his role in contributing to the defamatory articles. During his October 25, 2023, deposition, he confessed to reviewing at least one article: ***“That’s correct. Except for one. Except for the very last one after you filed suit, I was asked to review that one as an attorney.”*** However, Morningstar contradicted this claim, testifying that McDuff was never consulted as his lawyer. This discrepancy exposes McDuff’s attempt to conceal his direct authorship and influence over the articles.

The impact of McDuff’s defamatory campaign was devastating. Prior to the publication of the articles, FCCI Insurance Company had been willing to negotiate a fair settlement with Appellant. However, following the defamatory articles, Appellant’s credibility was irreparably damaged, and FCCI responded with a lowball settlement offer of only \$25,000—a figure that grossly undervalued the financial losses incurred. This drastic shift in negotiations underscores the tangible harm inflicted by McDuff’s false statements and media manipulation.

Beyond the loss of settlement value, the defamatory publications led to catastrophic professional and financial consequences for Appellant. The widespread dissemination of falsehoods about her character and business practices forced her to shut down her factory, eliminating a critical source of income and disrupting her livelihood. Additionally, Appellant lost a key contract in Uganda after officials from the Ministry of Health read the defamatory articles and formally disassociated themselves from her, damaging her international business opportunities.

The reputational harm extended beyond professional losses; Appellant suffered severe social and economic rejection from her community in Oconee County. Due to the false portrayal of her in the media, she became ostracized and was no longer able to conduct business in the area, as potential clients and partners refused to associate with her. The widespread belief in the defamatory statements destroyed her standing, leaving her without the ability to rebuild her professional reputation or establish new business ventures in the region.

These cumulative damages—financial, professional, and reputational—demonstrate the profound and irreversible impact of McDuff’s coordinated efforts to defame Appellant. The destruction of her business, severed professional relationships, and social alienation underscore the necessity of reversing the Circuit Court’s erroneous grant of summary judgment and allowing a jury to weigh the overwhelming evidence of harm caused by Respondents’ actions.

The Circuit Court’s conclusion that McDuff played no role in authoring or contributing to the defamatory articles is demonstrably false. McDuff was not merely a participant—he was a key architect of the defamatory campaign against Appellant, warranting reversal of the summary judgment ruling and allowing a jury to weigh the overwhelming evidence of his misconduct.

The extensive documentary evidence—including McDuff’s own emails, deposition testimony, and the direct use of his statements in *The Journal*—establishes that:

- i. McDuff initiated contact with *The Journal* to introduce false allegations about Appellant.
- ii. Shortly after losing a probate case to Appellant, McDuff met with *The Journal*’s owner, Jerry Edwards, to discuss Appellant’s personal and legal affairs.
- iii. McDuff directly communicated with journalist Riley Morningstar, providing damaging information that formed the basis of the defamatory articles.

- iv. On August 27, 2021, McDuff emailed Morningstar stating, “There should be fireworks,” regarding an upcoming hearing involving Appellant—demonstrating his intent to influence media coverage to damage Appellant’s reputation.
- v. McDuff directed Morningstar’s inquiries, suggested sources for defamatory content, and provided the names of individuals who would speak against Appellant.
- vi. He hand-selected and provided sources for defamatory statements, reviewed and corrected drafts of the articles before publication, and ensured the dissemination of defamatory falsehoods through a coordinated effort.
- vii. McDuff was directly quoted in the defamatory articles, confirming that he contributed statements used in the defamatory narrative.
- viii. He falsely claimed attorney-client privilege to conceal his involvement.

II. The Circuit Court Disregarded Evidence of McDuff’s Malicious Intent and Fabrication of Statements

A defamatory statement is presumed false unless the defendant proves otherwise. *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 339 (1974). Here, McDuff’s intent to defame is demonstrated by:

- i. His repeated false claims that Appellant knowingly submitted a fraudulent will, despite himself submitting outdated and unverified signature exemplars dating as far back as 1965, as well as knowingly presenting a forged signature from his client dated May 18, 2024.
- ii. His drafting of a probate order that included retroactively fabricated findings to falsely accuse Appellant of misconduct—findings he later used as a source to defame Appellant.
- iii. His direct provision of defamatory material to *The Journal*, despite knowing it was factually incorrect or misleading.
- iv. His failure to retract or correct any of the published statements after being informed they were false, and his reliance on a retracted article to persist in publishing defamatory material.

- v. His deliberate pursuit of an article that the probate court had rejected due to its lack of credibility, ensuring its publication to harm Appellant's reputation.

Under South Carolina law, actual malice is established when a defendant makes a defamatory statement with knowledge of its falsity or reckless disregard for the truth. *New York Times Co. v. Sullivan*, 376 U.S. 254, 280 (1964). Here, McDuff's direct involvement in drafting defamatory content and ensuring its publication, despite knowing its falsity, satisfies the actual malice standard, making the defamatory statements *actionable per se*.

III. The Circuit Court Erred by Granting Summary Judgment Without Considering the Cumulative Impact of Defendants' Defamatory Actions

South Carolina courts have consistently rejected efforts to dismiss defamation claims where the evidence shows a coordinated effort to harm the plaintiff's reputation. *Hancock v. Mid-South Mgmt. Co.*, 381 S.C. 326, 330, 673 S.E.2d 801, 803 (2009) (holding that even a scintilla of evidence of defamatory intent is sufficient to defeat summary judgment). In this case, the cumulative effect of McDuff's statements, actions, and communications supports a reasonable inference that he knowingly engaged in a scheme to defame Appellant.

- i. McDuff coordinated with Morningstar to plant defamatory allegations before publication.
- ii. McDuff continued to feed additional defamatory content after the first article was published.
- iii. McDuff had a direct, personal stake in damaging Appellant's reputation, as she had successfully opposed him in court and had filed a lawsuit against him before the articles were published.

The Circuit Court ignored substantial evidence showing that McDuff acted as a source, contributor, and facilitator of defamatory statements published in *The Journal*. By prematurely granting summary judgment and disregarding clear factual disputes—including McDuff's email records, meetings with reporters, and direct statements in the defamatory articles—the Circuit Court denied Appellant the right to a jury trial on material issues of fact.

South Carolina courts have consistently held that when factual disputes exist regarding defamatory intent, publication, and malice, summary judgment is improper. *Argoe v. Three Rivers Behavioral Ctr. & Psychiatric Solutions*, 388 S.C. 394, 697 S.E.2d 551, 554 (2010). Given the overwhelming evidence linking McDuff to the defamatory publications, summary judgment must be reversed, and this matter must proceed to trial.

Given these facts, the Circuit Court erred in resolving factual disputes in favor of McDuff instead of allowing a jury to weigh the evidence.

IV. The Circuit Court Erred in Granting Summary Judgment in Favor of Respondents Despite Substantial Evidence Demonstrating Their Direct Role in Tortious Interference with Appellant's Business.

The Circuit Court erred in granting summary judgment by ruling that Appellant lacked standing to assert a tortious interference with contract claim. This conclusion ignored key legal and factual grounds, including Appellant's direct involvement in the contract, the targeted nature of the interference, and the damages she suffered due to Respondents' actions. Under South Carolina law, a claim for tortious interference with contractual relations requires proof of

- i. the existence of a valid contract,
- ii. the defendant's knowledge of the contract,
- iii. intentional procurement of its breach,
- iv. the absence of justification, and
- v. damages resulting from the breach.

Eldeco, Inc. v. Charleston Cty. Sch. Dist., 372 S.C. 470, 476, 642 S.E.2d 726, 729 (2007). In this case, overwhelming evidence establishes each element of the claim, warranting reversal of summary judgment.

a) Respondents' Direct Role in the Interference with Appellant's Business Interests

On June 15, 2020, while her late husband, Doyle Pierce, was still alive, Appellant, Dorothy Pierce, signed a lease agreement with Cornerstone of Greenville, LLC for a commercial factory space to house her business, American Pharma Machinery, LLC. The lease was executed in

Appellant's personal name, making her the legal lessee and primary contracting party. She personally financed the business operations and was solely responsible for managing the company. As a single-member LLC, all financial obligations were personally attributed to Appellant, reinforcing her standing to sue for tortious interference.

Following Doyle Pierce's passing in September 2020, a dispute over his estate erupted when his son, Jared Adam Pierce, contested the validity of the will. Jared retained Respondent Richard Hunt McDuff of MJM Law, LLC to challenge the probate proceedings, launching a legal campaign against Appellant's inheritance and business interests.

Between December 2020 and 2021, while Appellant was in Uganda, McDuff systematically interfered with her business operations. As legal counsel for Cornerstone of Greenville, LLC, McDuff used his position to access the factory, engaged in misleading conversations with Appellant's employees, and encouraged them to resign. McDuff instructed employees, including Defendants Sherry L. Burgess, Nicholson Jerry, and Francesco Mejia Amando, to vacate the factory and surrender the business keys to the Oconee County Sheriff's Office, effectively barring Appellant from her own business. In Paragraph 43 of Defendants' response to the Amended Complaint, McDuff admitted to these actions, confirming that his interference directly disrupted Appellant's ability to continue operations.

Beyond dismantling the workforce, McDuff obtained confidential business information, including Appellant's client list, and then contacted customers with false claims that Appellant had fled the country with their money. Misled by McDuff's deception, two clients filed criminal complaints against Appellant, both of which were later dismissed. Additionally, McDuff provided unauthorized legal advice to Appellant's former manager, Sherry Burgess, encouraging her to take legal action against Appellant, further destabilizing the business.

As a result of McDuff's interference, Appellant was forced to terminate her lease in January 2021 and relocate her business, incurring significant financial losses. Although she partially restored business operations in August 2021, McDuff continued his campaign of interference.

b) Respondents' Interference with Appellant's Advertising Contract

After restarting her business, Appellant sought to rebuild her brand and attract customers. On July 30, 2021, she entered into an advertising contract with *The Upstate Journal*, investing in a

marketing campaign to promote American Pharma Machinery, LLC. Appellant personally negotiated the contract and directly funded the campaign.

By August 7, 2021, the advertisements were running successfully, generating customer engagement. However, upon seeing Appellant's picture in the ads, McDuff took immediate steps to interfere. On August 10, 2021, McDuff used his long-standing relationship with Jerry Edwards, owner of *The Upstate Journal*, to pressure him into halting Appellant's advertisements. During his October 4, 2023, deposition, McDuff admitted that he initiated a conversation with Edwards about Appellant's business promotions and advertisements in the Journal. Respondent Edwards is the CEO and Publisher of the Upstate Journal. When asked about his conversation with Edwards, McDuff testified:

"At one point in time, I think I had mentioned to Jerry Edwards, 'I see the same Queen advertising in your newspaper.' I saw there was like a quarter-page ad in The Journal one day, and I said if you want to -- the same person in the probate proceeding is the one that has run advertisements in your newspaper."

Following McDuff's conversation, *The Journal* abruptly terminated Appellant's advertising contract without notice. Appellant only discovered the cancellation after noticing a sharp decline in customer inquiries. When she contacted *The Journal's* advertising department for clarification, she was informed that the newspaper's attorney had advised against publishing her ads. At the time, McDuff was the only attorney associated with Edwards Group Holdings Inc.

The sudden cancellation of Appellant's advertising campaign, immediately following McDuff's intervention, demonstrates a direct causal link between McDuff's interference and the breach of Appellant's advertising contract. South Carolina law is clear that **"a defendant need not induce an outright breach of contract; any improper interference that prevents performance or makes it more burdensome, difficult, or of less value to the plaintiff may constitute tortious interference."** *Todd v. S.C. Farm Bureau Mut. Ins. Co.*, 283 S.C. 155, 163, 321 S.E.2d 602, 607 (Ct. App. 1984).*

c) **The Circuit Court’s Erroneous Conclusion on Appellant’s Standing**

The Circuit Court erred in ruling that Appellant lacked standing to bring a tortious interference claim. The contractual relationship and all communications clearly involved her personally, not just her LLC. The interference directly impacted her business reputation, income, and contractual relationships. The following facts establish that Appellant was the direct party to the advertising contract:

- i. Appellant was the primary contracting party – All negotiations were conducted in Appellant’s personal capacity, and she personally funded the contract.
- ii. McDuff’s interference was aimed at Appellant, not the LLC – The advertisements were terminated solely because of Appellant’s identity.
- iii. Appellant suffered direct harm – The interference resulted in financial losses, the inability to advertise, and reputational damage that effectively barred her from conducting business in Oconee County.
- iv. South Carolina law recognizes standing in cases where interference directly impacts an individual’s ability to conduct business. *Huggins v. Citibank, N.A.*, 355 S.C. 329, 338, 585 S.E.2d 275, 278 (2003).

d) **The Devastating Impact of Respondents’ Actions**

As a direct result of Respondents’ interference, Appellant suffered severe financial and reputational harm. The defamatory articles and McDuff’s efforts to discredit her led to:

- i. **The closure of her factory** – Appellant was forced to shut down her manufacturing business due to the disruptions and financial losses caused by Respondents.
- ii. **The loss of a critical contract in Uganda** – After officials from the Ugandan Ministry of Health read the defamatory articles, they severed ties with Appellant, terminating an important business relationship.
- iii. **Community rejection and an inability to conduct business in Oconee County** – The damage to Appellant’s reputation made it impossible for her to secure clients or business partnerships in the area.

The Circuit Court's grant of summary judgment ignored substantial evidence demonstrating that Respondents engaged in intentional and unlawful interference with Appellant's business. The record contains ample proof that McDuff's actions caused Appellant's advertising contract to be canceled, led to the loss of a significant business opportunity in Uganda, and forced the closure of her factory. Given these material disputes of fact, summary judgment was improper and must be reversed to allow a jury to determine whether Respondents' conduct constituted tortious interference under South Carolina law.

V. **The Circuit Court Violated South Carolina Law and Due Process by Signing the Summary Judgment Order Without Allowing Appellant to Review or Object to the Draft**

The Circuit Court erred in signing the April 2, 2024, summary judgment order without first allowing Appellant to review or object to the draft, thereby violating South Carolina procedural law and Appellant's due process rights. South Carolina law requires that litigants be given an opportunity to review proposed orders to ensure accuracy and to allow objections before an order is finalized. The Circuit Court's failure to provide Appellant with this opportunity constitutes procedural irregularity and mandates reversal.

a) **South Carolina Law Requires That Orders Be Reviewed by Opposing Parties Before Entry**

South Carolina courts have recognized that a party must be given an opportunity to review and object to a proposed order before it is entered, particularly in dispositive motions such as summary judgment. **In Rule 56(c), SCRPC, summary judgment should only be granted after a fair process ensuring that all parties have had the opportunity to respond to the proposed findings.** The South Carolina Supreme Court has emphasized that "[a] trial court may not adopt verbatim a proposed order submitted by a party where it fails to reflect the court's own findings of fact and conclusions of law." *See Hathcock v. S.C. Dep't of Highways & Pub. Transp.*, 288 S.C. 502, 508, 343 S.E.2d 872, 876 (Ct. App. 1986).* The failure to allow Appellant to review or object to the order violates the principle of fundamental fairness and procedural due process.

Furthermore, South Carolina law has held that a party should not be blindsided by an order that contains findings not previously argued or considered. In *See In re Care & Treatment of McCracken*, 346 S.C. 87, 94, 551 S.E.2d 235, 239 (2001), the court held that due process requires notice and an opportunity to be heard before an adverse order is entered. Here, by failing to allow Appellant to review the proposed order, the court effectively denied her that opportunity.

b) The Trial Court's Actions Denied Appellant a Fair and Impartial Process

The Circuit Court's decision to sign Respondents' proposed summary judgment order without review prevented Appellant from ensuring that the record accurately reflected the facts and the legal arguments made. This is especially concerning given that the order dismissed all of Appellant's claims without an evidentiary hearing. The South Carolina Supreme Court has held that **a fundamental requirement of due process is the opportunity to be heard "at a meaningful time and in a meaningful manner."** *Sloan v. S.C. Bd. of Physical Therapy Exam'rs*, 370 S.C. 452, 468, 636 S.E.2d 598, 607 (2006).* Here, by refusing Appellant the opportunity to object before the order's entry, the trial court deprived her of this fundamental right.

Moreover, the record shows that Respondents' attorneys prepared the order, yet Appellant was not given an opportunity to review it. The South Carolina Court of Appeals has cautioned against trial courts rubber-stamping orders prepared by one party without meaningful review. In *Hathcock*, the court reversed a lower court decision because "it is improper for a trial judge to sign an order drafted by one party without independent consideration of the evidence and legal arguments presented." *Hathcock*, 288 S.C. at 508, 343 S.E.2d at 876. The same reasoning applies here.

c) The Lack of Review Prejudiced Appellant and Compromised the Integrity of the Order

The failure to allow Appellant to review the order resulted in the inclusion of legal conclusions and factual findings that were not properly supported. By excluding Appellant from the review process, the Circuit Court deprived her of the ability to correct misstatements, argue against improper legal conclusions, and ensure the record was fairly and accurately considered. South Carolina courts have repeatedly found that due process violations warrant reversal where a party has been denied an opportunity to be heard. *See Kiawah Resort Assocs. v. S.C. Tax Comm'n*, 318

S.C. 502, 508, 458 S.E.2d 542, 546 (1995) (holding that an order is invalid where a party is denied a reasonable opportunity to challenge findings before they become final).

Appellant was significantly prejudiced by the Circuit Court's failure to allow her to review the order. Not only did the order dismiss her claims, but it also reflected factual conclusions and legal arguments exclusively drafted by Respondents. This lack of judicial scrutiny and fairness undermines the legitimacy of the order and justifies reversal.

The Circuit Court's failure to allow Appellant to review or object to the proposed order before it was signed violated South Carolina law and Appellant's due process rights. South Carolina courts have consistently held that parties must be given a fair opportunity to review dispositive orders before they are entered. By depriving Appellant of this right, the trial court adopted findings that were untested and unsupported by due process. Accordingly, the summary judgment order must be reversed, and the case remanded for proper consideration consistent with South Carolina law.

d) The Circuit Court's Order Contained Multiple Inaccuracies That Require Reversal

The Circuit Court's order granting summary judgment in favor of the Attorney Defendants on Appellant's defamation claim is factually and legally flawed. The court's findings contradict the overwhelming evidence presented, misapply the legal standard for defamation, and improperly shift the burden of proof away from Respondents. These errors require reversal.

i. The Court's Finding That Appellant Provided "No Evidence" Is Demonstrably False

The court incorrectly concluded that Appellant conceded she had no evidence linking the Attorney Defendants to the defamatory articles. This finding is directly contradicted by substantial documentary evidence, including:

- **Emails between McDuff and journalist Riley Morningstar** showing McDuff initiating discussions about Appellant, directing coverage, and providing defamatory content.
- **Deposition testimony of Riley Morningstar**, which, contrary to the court's assertion, is neither un rebutted nor exculpatory. Instead, it confirms that McDuff was a source for the articles.

- **McDuff’s own statements** in which he admitted to reviewing at least one of the defamatory articles before publication and providing information to Morningstar.
- **Evidence of McDuff coordinating with The Journal’s owner, Jerry Edwards,** regarding coverage of Appellant, further proving his direct involvement in influencing the publication of defamatory content.

Thus, the assertion that Appellant “conceded” she had no evidence is not only incorrect but is directly contradicted by the record.

ii. The Court Improperly Relied on Unrebutted Testimony from Riley Morningstar

The order states that Morningstar’s testimony was “unrebutted,” implying that it was dispositive in favor of the Attorney Defendants. This is a gross mischaracterization of the record.

- i. Morningstar's testimony was directly contradicted by emails and documents showing that McDuff provided defamatory material and sources for the articles.
- ii. Morningstar’s credibility was at issue, as he had an interest in shielding himself from liability and protecting his professional reputation. Credibility determinations must be made by a jury, not resolved on summary judgment.
- iii. The court disregarded evidence that McDuff had significant editorial influence over the articles, including selecting sources and directing the narrative.

South Carolina courts have consistently held that summary judgment is inappropriate where credibility determinations are required. *Argoe v. Three Rivers Behavioral Ctr. & Psychiatric Solutions*, 388 S.C. 394, 400, 697 S.E.2d 551, 554 (2010). The Circuit Court erred by improperly resolving credibility issues in favor of the Attorney Defendants.

iii. The Court Failed to Apply Defamation Per Se Doctrine

The court’s conclusion that Appellant “failed to prove the Attorney Defendants made any defamatory statements” ignores the doctrine of defamation per se. Under *Holtzscheiter v. Thomson Newspapers, Inc.*, 332 S.C. 502, 506, 506 S.E.2d 497, 500 (1998), statements falsely accusing an individual of criminal conduct, fraud, or professional incompetence are actionable per se and presumed false unless the defendant proves otherwise.

- The articles at issue contained false statements that Appellant knowingly submitted a fraudulent will—an accusation that constitutes defamation per se.
- Under South Carolina law, the burden should have shifted to the Attorney Defendants to prove the truth of their statements. Instead, the court improperly placed the burden on Appellant.

By ignoring defamation per se principles, the Circuit Court misapplied South Carolina law, further justifying reversal.

iv. **The Court Ignored Evidence That McDuff Used Attorney-Client Privilege to Conceal His Role**

The order is also flawed in its failure to acknowledge that McDuff attempted to shield his involvement in the defamatory publications by falsely invoking attorney-client privilege.

- i. McDuff claimed privilege to avoid disclosing communications with Morningstar and The Journal, but Morningstar explicitly testified that McDuff was never his attorney.
- ii. Key discovery materials were withheld, including internal communications between McDuff and The Journal’s management, which would have provided direct evidence of his role in shaping the articles.
- iii. The court’s failure to compel disclosure of these materials deprived Appellant of critical evidence, preventing her from fully proving her defamation claims.

South Carolina law does not allow privilege to be used as a shield for wrongful conduct. *State v. Doster*, 276 S.C. 647, 657, 284 S.E.2d 218, 224 (1981). The Circuit Court's failure to address this issue constitutes reversible error.

v. **The Court Relied on Out-of-State Case Law That Contradicts South Carolina Precedent**

The court cited multiple out-of-state cases, including *Abbott v. Pollock*, *Crouch v. J.C. Penny Corp.*, and *Sullivan v. Young*, in support of its conclusion that Appellant failed to prove the Attorney Defendants were the source of the defamatory statements. However, these cases are not binding precedent in South Carolina and conflict with well-established state law principles.

- i. South Carolina courts have held that even indirect contributions to defamatory statements can establish liability. *Holtzscheiter*, 332 S.C. at 506.
- ii. Unlike the out-of-state cases cited, South Carolina law does not require a plaintiff to prove direct authorship of defamatory statements, only that the defendant materially contributed to their publication. *Erickson v. Jones St. Publishers, LLC*, 368 S.C. at 465.
- iii. The reliance on out-of-state authority was particularly improper given the existence of controlling South Carolina case law that supports Appellant's claims.

vi. The Order Is Based on Legal and Factual Errors and Must Be Reversed

The Circuit Court's order contains multiple errors, including:

- i. Falsely stating that Appellant conceded she had no evidence, despite extensive documentary proof.
- ii. Improperly relying on Morningstar's testimony as unrebutted, while disregarding contrary evidence.
- iii. Ignoring South Carolina's defamation per se doctrine, which should have shifted the burden of proof to McDuff.
- iv. Failing to consider McDuff's improper use of attorney-client privilege to conceal key evidence.
- v. Relying on inapplicable out-of-state case law instead of controlling South Carolina precedent.

Given these fundamental flaws, the order must be reversed, and Appellant's defamation claims should be presented to a jury for proper consideration.

VI. The Circuit Court Improperly Upheld Claims of Attorney-Client Privilege to Shield Key Discovery Materials

The Circuit Court erred in upholding Respondents' assertion of attorney-client privilege to withhold key discovery materials, despite clear evidence that Respondent Richard McDuff had

no privileged relationship with *The Journal*, Oconee Publishing, or its reporters, including Riley Morningstar. Under South Carolina law, attorney-client privilege applies only to confidential communications between a client and an attorney made for the purpose of obtaining legal advice. *Tobaccoville USA, Inc. v. McMaster*, 387 S.C. 287, 295, 692 S.E.2d 526, 530 (2010). Here, Respondents failed to establish that such a relationship existed, making their privilege claims legally untenable.

During his deposition, Respondent Morningstar unequivocally testified that McDuff was not his attorney, stating:

"No. I haven't paid him a dollar, so I would not call him my attorney."

When further questioned about whether McDuff represented Oconee Publishing, Morningstar responded:

"I would not be privy to that information because I'm not paying him, so I don't know."

This testimony demonstrates that McDuff was neither retained nor consulted in any legal capacity by Morningstar or *The Journal*, negating any claim of attorney-client privilege. Furthermore, *The Journal* is an employee-owned company, meaning that neither McDuff nor MJM Law, LLC had standing to assert privilege over its internal communications or the communications of its reporters.

a) Evidence Withheld Under False Claims of Privilege

Despite the absence of any valid attorney-client relationship, Respondents wrongfully withheld the following key discovery materials under the pretense of privilege:

- i. **Email Communications Between McDuff and Morningstar** – These emails include correspondence in which McDuff directed Morningstar's coverage of Appellant, provided defamatory statements, and supplied sources for interviews. The withheld emails would have demonstrated that McDuff actively shaped and influenced the defamatory articles published in *The Journal* on March 4, 5, and 8, 2022.
- ii. **Draft Versions of the Defamatory Articles** – Respondents failed to produce earlier versions of the articles that would have shown McDuff's involvement in reviewing and editing the defamatory statements before publication. This evidence was crucial in establishing McDuff as a contributor to the defamatory content.

- iii. **Interview Recordings Between Morningstar and Sources Provided by McDuff** – Appellant requested copies of recorded interviews with individuals McDuff had suggested as sources. These recordings were withheld despite evidence that McDuff facilitated and directed the interviews.
- iv. **Internal Communications Between *The Journal* and McDuff** – Respondents failed to turn over internal emails between McDuff and *The Journal*'s management, including Jerry Edwards and Hal Welch. These communications would have provided direct evidence of McDuff's influence over the newspaper's decision to publish defamatory statements and terminate Appellant's advertising contract.
- v. **Emails and Documents Relating to McDuff's Meeting with Jerry Edwards** – McDuff met with Jerry Edwards over lunch to discuss Appellant, yet no documents or emails regarding this meeting were disclosed. These records were relevant because they would have demonstrated that McDuff was not providing legal advice but rather influencing media coverage to harm Appellant.
- vi. **Communications Regarding the Decision to Terminate Appellant's Advertising Contract** – The Journal abruptly canceled Appellant's paid advertising contract shortly after McDuff's intervention. Internal emails regarding this decision were wrongfully withheld, depriving Appellant of key evidence linking McDuff's interference to the breach of contract.
- vii. **Privilege Log Provided by Respondents** – The privilege log submitted by Respondents was vague and failed to establish any valid basis for withholding documents. The descriptions of withheld materials were broad and conclusory, lacking any indication that the communications involved legal advice or confidential client discussions.

b) Improper Judicial Ruling Shielding Respondents from Accountability

By allowing Respondents to withhold these materials, the Circuit Court improperly limited Appellant's ability to present critical evidence in support of her claims. The Court's failure to compel the disclosure of these documents resulted in a fundamentally flawed summary judgment ruling that shielded Respondents from accountability.

South Carolina courts have repeatedly held that privilege must be strictly construed and cannot be used as a shield for wrongful conduct. *State v. Doster*, 276 S.C. 647, 657, 284 S.E.2d 218, 224

(1981) (holding that privilege cannot be used to "conceal fraud or wrongdoing"). Here, Respondents' privilege claims were a clear attempt to evade discovery and obstruct justice.

Given the absence of any legitimate attorney-client relationship between McDuff and *The Journal* or its reporters, the Circuit Court's decision must be reversed, and the withheld discovery materials must be produced. The withheld evidence is central to Appellant's claims of defamation and tortious interference, and a jury should be allowed to weigh this evidence in determining the extent of Respondents' liability.

VII. The Circuit Court Ignored South Carolina's Strong Policy Against Summary Judgment in Cases Involving Malice and Intent

Defamation and tortious interference claims inherently involve intent, malice, and credibility, making them unsuitable for summary judgment. The Circuit Court ignored substantial factual disputes and prematurely dismissed claims that should have been resolved by a jury. In *Hancock v. Mid-South Mgmt. Co.*, 381 S.C. 326, 330, 673 S.E.2d 801, 803 (2009), the South Carolina Supreme Court ruled that even a scintilla of evidence of defamatory intent is sufficient to defeat summary judgment. Given McDuff's direct involvement in defamatory publications and tortious interference, the Circuit Court's ruling was legally improper.

VIII. The Circuit Court Failed to Apply Defamation Per Se Doctrine

Under South Carolina law, statements that falsely accuse an individual of criminal conduct, fraud, or professional incompetence constitute defamation per se and are presumed false unless the defendant proves otherwise. *Holtzscheiter v. Thomson Newspapers, Inc.*, 332 S.C. 502, 506, 506 S.E.2d 497, 500 (1998) confirms that defamation per se applies when statements impute criminal activity or dishonesty in a professional capacity.

McDuff and *The Journal* knowingly republished a retracted article from the Alliance for Campaign Finance Monitoring, despite clear evidence that the allegations had been formally withdrawn. The Alliance not only removed the article from its platform but also issued a public apology acknowledging its inaccuracy. Additionally, the Alliance defaulted in a defamation lawsuit regarding the same article, further confirming that the allegations were deemed legally indefensible.

Despite being notified of the retraction and apology, McDuff deliberately ignored these facts and republished the discredited claims, demonstrating reckless disregard for the truth. South Carolina law holds that failure to verify the accuracy of statements, particularly when contradictory evidence exists, establishes actual malice (*New York Times Co. v. Sullivan*, 376 U.S. 254, 280 (1964)).

The Circuit Court erred by failing to apply defamation per se principles, improperly shifting the burden onto Appellant instead of requiring McDuff to prove the truth of his statements. Given the clear evidence of intentional republication of a retracted, false claim, summary judgment should have been denied, and the case should proceed to trial for a jury determination of McDuff's liability.

PRAYER FOR RELIEF

WHEREFORE, Appellant respectfully requests that this Honorable Court grant the following relief:

1. **Reverse the Circuit Court's Grant of Summary Judgment** – Appellant prays that this Court reverse the Circuit Court's erroneous order granting summary judgment in favor of Respondents, as it was based on factual misstatements, improper legal conclusions, and the misapplication of South Carolina law.
2. **Remand for Trial on the Merits** – Appellant requests that this matter be remanded to the lower court for a full trial on the merits, allowing a jury to determine the factual disputes regarding defamation, tortious interference, and Respondents' wrongful conduct.
3. **Order the Production of Withheld Evidence** – Appellant prays that this Court compel Respondents to produce all improperly withheld discovery materials, including email communications, interview recordings, and draft articles, which were concealed under false claims of privilege.
4. **Award Appellant Costs and Attorneys' Fees** – Appellant requests that this Court award all reasonable litigation costs and attorneys' fees incurred in this appeal and in the lower court proceedings due to Respondents' wrongful conduct and abuse of process.

5. **Grant Such Other Relief as This Court Deems Just and Proper** – Appellant prays for any other relief that this Court finds necessary to remedy the injustices caused by the Circuit Court’s erroneous rulings and Respondents’ actions.

Respectfully submitted, this January 05 2025.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

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FOR THE APPELLANT