

RECEIVED

Feb 19 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
In the Court of Common Pleas for the Ninth Judicial Circuit

The Honorable Kristi F. Curtis, Circuit Court Judge

Appellate Case No. 2023-000952

Kelly Bingham and Kayla Bingham Appellants-Respondents,

v.

Medical University of South CarolinaRespondent-Appellant.

RESPONDENT-APPELLANT'S SECOND SUPPLEMENTAL RECORD ON APPEAL

M. Dawes Cooke, Jr., Esq. (S.C. #1376)
John W. Fletcher, Esq. (S.C. #69550)
BARNWELL WHALEY PATTERSON &
HELMS, LLC
211 King Street, Suite 300 (29401)
PO Drawer H
Charleston, SC 29402
Phone: (843) 577-7700 Fax: (843) 577-7708
*Counsel for Respondent-Appellant Medical
University of South Carolina*

TABLE OF CONTENTS

Order Granting Defendant's Motion for Relief Pursuant to Rule 60(A).....1

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

The jury unanimously found in favor of Plaintiffs Kayla Bingham and Kellie Bingham for the defamation cause of action in the amount of \$750,000 for Kayla Bingham and \$750,000 for Kellie Bingham on November 18, 2022.

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

On May 5, 2023, the Court entered an Order Granting Defendant’s Motion to Reduce the Verdict Per the SCTCA and Denying Plaintiff’s Motion to Determine Number of Occurrences. The Court subsequently entered an Order denying Defendant’s motion for a new trial or for judgment notwithstanding the verdict.

Pursuant to S.C.R. Civ. P. 60(a), “[c]lerical mistakes in judgments, orders or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time of its own initiative or on the motion of any party.” See S.C.R. Civ. P. 60(a). The Court erroneously checked the box stating that “[t]his order ends the case” on the February 7, 2024 Form 4 Order. This was a clerical error. The Court did not intend for the February 7, 2024 Form 4 Order to be a final order or final judgment. The Court was aware that there were pending motions that needed to be decided before it could enter final judgment on the verdict.

Therefore, the Court GRANTS Defendant’s Motion for Relief Pursuant to Rule 60(a) as to February 7, 2023 Form 4 Order.

It is hereby ORDERED, ADJUDGED, and DECREED that the February 7, 2024 Form 4 Order is hereby amended and corrected so that the box stating that "[t]his order ends the case" is not checked and the box stating that "[t]his order does not end the case" is checked. The February 7, 2024 Form 4 Order is not a final order or judgment..

IT IS SO ORDERED!

BY THE COURT

Dated: October __, 2024
Charleston, South Carolina

Honorable Kristi F. Curtis



Charleston Common Pleas

Case Caption: Kellie Bingham VS Medical University of South Carolina

Case Number: 2017CP1005699

Type: Order/Relief

So Ordered

s/ Kristi F. Curtis, Circuit Court Judge, No. 2762

Electronically signed on 2024-10-28 10:49:54 page 4 of 4

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
In the Court of Common Pleas for the Ninth Judicial Circuit

The Honorable Kristi F. Curtis, Circuit Court Judge

Appellate Case No. 2023-000952

Kelly Bingham and Kayla Bingham Appellants-Respondents,

v.

Medical University of South CarolinaRespondent-Appellant.

PROOF OF SERVICE

I certify that I have served the **RESPONDENT-APPELLANT'S SECOND SUPPLEMENTAL RECORD ON APPEAL** on counsel for the above-referenced Appellants-Respondents by email in accordance with the South Carolina Supreme Court's Order re: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended May 6, 2022) on February 19, 2025, addressed to their attorneys of record:

John E. Parker, Esq.
John E. Parker, Jr., Esq.
PARKER LAW GROUP, LLP
101 Mulberry Street East
Post Office Box 487
Hampton, SC 29924-0457
Phone: (803) 943-2111

Attorneys for Appellants-Respondents Kellie Bingham and Kayla Bingham

BARNWELL WHALEY PATTERSON & HELMS, LLC

By: 

M. Dawes Cooke, Jr., Esq. (S.C. #1376)
John W. Fletcher, Esq. (S.C. #69550)
211 King Street, Suite 300 (29401)
PO Drawer H
Charleston, SC 29402
Phone: (843) 577-7700 Fax: (843) 577-7708

Counsel for Respondent-Appellant