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**Adam Mlynarczyk**  
ATTORNEY AT LAW

**C. Brandon Belger**  
ATTORNEY AT LAW

May 20, 2025

VIA UNITED STATES POSTAL SERVICE, CERTIFIED MAIL, RETURN RECEIPT  
REQUESTED & ELECTRONIC MAIL:

The Honorable Jenny Abbott Kitchings  
Clerk of Court, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: *Bradley A. Welch v. Port City Machinery LLC*  
Civil Action No.: 2022-CP-15-06640  
Notice of Appeal

**RECEIVED**  
MAY 22 2025  
SC Court of Appeals

Dear Ms. Kitchings:

This firm represents Port City Machinery LLC in the above-referenced matter. Enclosed, please find a copy of the Notice of Appeal that has been filed with the Colleton County Clerk of Court. The filing fee was previously submitted on or about May 2, 2025.

In addition to a filed copy of the Notice of Appeal, I have included a filed copies of the Verdict Form and the Order of Judgment, as well as a Certificate of Service for the same.

By copy of this letter, all counsel of record is being served the same by electronic mail. We look forward to receiving the file-stamped copies. Please let me know if you have any questions. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joseph Shafer", written over a printed name.

Joseph William Shafer  
Paralegal to Adam Mlynarczyk

Enclosures as stated.

cc: Bentley D. Price, Esq. (email only)  
Chelci S. Avant, Esq. (email only)  
Ronnie L. Crosby, Esq. (email only)

CRR: 9589 0710 5270 0936 08256 58

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

MAY 22 2025

SC Court of Appeals

APPEAL FROM COLLETON COUNTY  
Fourteenth Judicial Circuit

Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2025-000879  
Common Pleas Case No. 2022-CP-15-00640

Port City Machinery, LLC .....Appellant,

v.

Bradley A. Welch ..... Respondent.

**AMENDED NOTICE OF APPEAL**

Appellant, Port City Machinery, LLC, by and through undersigned counsel, hereby appeals the verdict entered on April 8, 2025, and the order entered on May 15, 2025.

s/Ryan A. Love  
Ryan A. Love (S.C. Bar No. 103456)  
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May 19, 2025  
Monroe, North Carolina

Attorneys for Appellant

Other counsel of record:

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Attorneys for Bradley A. Welch

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Price Law Group  
PO Box 20068  
Charleston, SC 29413  
(843) 513-6253  
bentley@pricelawgroupsc.com  
Attorney for Port City Machinery, LLC



STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF COLLETON )  
 )  
 Bradley A. Welch, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 Port City Machinery, LLC, )  
 )  
 Defendants. )

IN THE COURT OF COMMON PLEAS  
 CIVIL ACTION NO.: 2022-CP-15-00640

VERDICT FORM

1. Do you find Defendant's conduct was fraudulent and that this conduct caused Plaintiff damage?

YES.

NO.

2. Do you find Defendant negligently misrepresented the condition of the dozer to Plaintiff and these misrepresentations caused Plaintiff damage?

YES.

NO.

3. Do you find Defendant violated the South Carolina Unfair Trade Practices Act and this violation caused Plaintiff damage?

YES.

NO.

4. If you answered YES to 1, 2 or 3, what is the amount of actual damages sustained by Plaintiff.

(\$ 120,000.00 (actual damages).

Note: If you award actual damages, you may consider whether to award punitive damages. You may not award punitive damages without an award of actual damages.


5. Do you find by clear and convincing evidence that Defendant's conduct was reckless, willful or wanton?

YES.

NO.

If YES, what amount of punitive damages do you find appropriate.

(\$ 50,000 punitive damages).

  
\_\_\_\_\_  
Jury Foreperson  
4/8/2025  
\_\_\_\_\_  
Date

**WHEN YOU HAVE COMPLETED THIS QUESTIONNAIRE, PLEASE NOTIFY THE BAILIFF.**



represented the Defendant. It is the Courts understanding the Defendant did not authorize Mr. Price to appear on the Defendants behalf any longer because when the Court notified Mr. Price of a hearing regarding the treble damages and attorney's fees and costs Mr. Price responded that he no longer represented the Defendant in the matter and that "I assure you, Mr. Copanando does not want me there." Exhibit B – Bentley Price email.

The Court next contacted the Defendant's appellate counsel, Ryan Love and Adam Mlynarczyk, to inquire if they would appear to discuss the attorney's fees and court costs. Appellate counsel informed the Court that they were not counsel for the trial level and would not be attending a hearing on the issue of the attorney's fees and court costs.

The Court is of the belief that the jury verdict was not the final verdict in this matter. Further, the Court finds that this Order is the final Order from which a full appeal can be taken.

The jury found, by clear and convincing evidence, Defendant's conduct to be reckless, willful, and/or wanton. See Exhibit A – Verdict Form. Given this finding, Plaintiff requested that the Court treble Plaintiff's damages in accordance with S.C. Code Ann. § 39-5-140(a), which states:

Any person who suffers any ascertainable loss of money or property, real or personal, as a result of the use or employment by another person of an unfair or deceptive method, act or practice declared unlawful by § 39-5-20<sup>1</sup> may bring an action individually, but not in a representative capacity, to recover actual damages. If the court finds that the use or employment of the unfair or deceptive method, act or practice was a willful or knowing violation of § 39-5-20, the court shall award three times the actual damages sustained and may provide such other relief as it deems necessary or proper. Upon the finding by the court of a violation of this article, the court shall award to the person bringing such action under this section reasonable attorney's fees and costs.

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<sup>1</sup> S.C. Code Ann. § 39-5-20. Unfair methods of competition and unfair or deceptive acts or practices unlawful; application of interpretations of Federal act.

(a) Unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful.

(b) It is the intent of the legislature that in construing paragraph (a) of this section the courts will be guided by the interpretations given by the Federal Trade Commission and the Federal Courts to § 5(a)(1) of the Federal Trade Commission Act (15 U.S.C. 45(a)(1)), as from time to time amended.

S.C. Code Ann. § 39-5-140(a).

The Court concurs with the jury's finding, Plaintiff presented evidence that the unfair and deceptive acts of Defendant were willful and/or knowing violations of S.C. Code Ann. § 39-5-20. The Plaintiff presented evidence that the owner of Port City Machinery changed the number of hours on the bulldozer in his computer system on the same date that his staff put the correct information in the system. The Defendant's conduct in violating the Act was knowing and willful, and as such, the Court grants Plaintiff's request to treble actual damages and for an award of attorney's fees. It is hereby Ordered that Plaintiff's actual damages of One Hundred and Twenty Thousand Dollars (\$120,000.00) be trebled, resulting in an award of Three Hundred and Sixty Thousand Dollars (\$360,000.00). Pursuant to S.C. Code Ann. § 39-5-140(a), Plaintiff is also entitled to an award of reasonable attorney's fees and costs. Plaintiff's counsel has submitted an itemization of time, rate(s) of pay, and costs in the amount of Fifty-Four Thousand Five Hundred Sixty-Nine Dollars and Seventeen Cents (\$54,569.17) which the Court finds reasonable and customary given the case, counsel and the effort required.

THEREFORE, this Court finds Plaintiff's actual damages to be Three Hundred and Sixty Thousand Dollars (\$360,000.00) and reasonable attorney's fees and costs to be Fifty-Four Thousand Five Hundred Sixty-Nine Dollars and Seventeen Cents (\$54,569.17). This Court hereby Orders the Clerk of Court to enter a Judgment against Defendant in favor of Plaintiff for Four Hundred Fourteen Thousand Five Hundred Sixty-Nine Dollars and Seventeen Cents (\$414,569.17).

**IT IS SO ORDERED.**

**[Signature to Follow]**

---

Carmen T. Mullen

May\_\_\_\_, 2025  
Colleton, South Carolina



Colleton Common Pleas

**Case Caption:** Bradley A Welch VS Port City Machinery Llc

**Case Number:** 2022CP1500640

**Type:** Order/Other

So Ordered

s/Carmen T Mullen 2142

Electronically signed on 2025-05-15 13:57:18 page 5 of 5

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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA  
In the Court of Appeals**

**APPEAL FROM COLLETON COUNTY  
Fourteenth Judicial Circuit**

**Carmen T. Mullen, Circuit Court Judge**

**Case No. 2022-CP-15-00640**

**Port City Machinery, LLC .....Appellant,**

**v.**

**Bradley A. Welch .....Respondent.**

**CERTIFICATE OF SERVICE**

The undersigned certifies that persons set forth below were served with the Notice of Appeal, Verdict Form, and Transcript Request in the above-referenced case by emailing copies of the aforementioned documents on the date below to the following Attorney Information System (AIS) email addresses:

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Attorneys for Bradley A. Welch

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bentley@pricelawgroupsc.com  
Attorney for Port City Machinery, LLC

(SIGNATURE PAGE TO FOLLOW)

s/Ryan A. Love

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May 20, 2025  
Monroe, North Carolina

Attorneys for Appellant



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Joseph Shafer  
 Park Circle Law, LLC  
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