

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas  
Maite Murphy, Circuit Court Judge

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Appellate Case No. 2025-000108  
Case No.: 2023-CP-38-00331

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Serge R. Wandji.....Appellant,

v.

The Regional Medical Center.....Respondent,

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**RESPONDENT’S REPLY IN SUPPORT OF MOTION TO STRIKE PORTIONS OF APPELLANT’S DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL ALONG WITH PORTIONS OF APPELLANT’S INITIAL BRIEF REFERENCING THE SAME**

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The above-named Respondent, by and through its undersigned counsel, respectfully submits this Reply in Support of its Motion to Strike Portions of Appellant’s Designation of Matter to be Included in Record on Appeal Along with Portions of Appellant’s Initial Brief Referencing the Same (“Respondent’s Motion to Strike”).

- I. APPELLANT’S RESPONSE IN OPPOSITION TO RESPONDENT’S MOTION TO STRIKE IS RIDDLED WITH IRRELEVANT, IMPROPERLY CITED, AND FICTITIOUS OR NON-EXISTENT JUDICIAL OPINIONS AND SHOULD BE DISREGARDED BY THE COURT IN FULL.**

As an initial matter, the Court should disregard Appellant’s Response in Opposition to Respondent’s Motion to Strike Portions of Appellant’s Designation of Matter to be Included in

Record on Appeal Along with Portions of Appellant’s Initial Brief Referencing the Same (“Appellant’s Opposition”) in its entirety due to its reliance on irrelevant, improper, and fictitious or non-existent judicial opinions. In his Opposition to Respondent’s Motion to Strike, Appellant cites to five (5) fictitious or non-existent judicial opinions.<sup>1</sup> In addition to the fictitious or non-existent judicial opinions cited to in Appellant’s Opposition, Appellant improperly cites to an additional five (5) judicial opinions in support of self-serving positions not contemplated by the opinions cited. Appellant had a duty to confirm the legitimacy of the judicial opinions cited throughout Appellant’s Opposition, and in failing to do so, should have his brief disregarded in full. *See* Rule 267(b), SCACR.

**II. APPELLANT HAS FAILED TO ADDRESS RESPONDENT’S ARGUMENTS IN SUPPORT OF RESPONDENT’S MOTION TO STRIKE.**

Even assuming that the Court fails to disregard Appellant’s Opposition despite the numerous citations to non-existent or fictitious judicial opinions, Appellant has failed to address or rebut Respondent’s Arguments in Respondent’s Motion to Strike, and Respondent’s Motion to Strike should be granted.

**A. Appellant Does Not Rebut Respondent’s Argument Regarding the Vague References in Appellant’s Designation of Matter.**

In its Motion to Strike, Respondent moves to exclude the document identified as “B(6): Defendant’s untimely production of critical discovery documents on November 12, 2024, previously requested by Appellant more than one year earlier,” on the grounds that the vague and ambiguous description fails to provide sufficient detail to identify the documents Appellant seeks

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<sup>1</sup> The following list contains the case citations that we were unable to locate despite various searches: *Hines v. Blue Cross Blue Shield of South Carolina*, 41 S.C. 108,119 (2014); *In re Evans*, 410 S.C. 614, 620 (2014); *Layman v. State Workers’ Compensation Fund*, 336 S.C. 37 (2005); *Miller v. State Workers’ Compensation Fund*, 379 S.C. 129 (2008); *Stewart v. Beaufort Cty.*, 481 S.E.2d 168 (S.C. Ct. App. 1997).

to include in the Record on Appeal. In Appellant’s Opposition, Appellant fails to address this concern or in any way clarify the nature of the documents referenced, and instead asserts “Respondent cannot now manufacture vagueness as a ground for exclusion.” Contrary to Appellant’s assertion that Respondent “manufacture[d]” this ground for exclusion, Respondent’s Motion to Strike properly cited to Rule 209(b), which requires that the designation “clearly identify” the documents to be included in the Record on Appeal. Appellant’s failure to meet this standard is compounded by his refusal to clarify the documents in question or to demonstrate that they were ever presented to the lower court, as required by Rule 210(c), SCACR.

Because Appellant’s Designation of “B(6): Defendant’s untimely production of critical discovery documents on November 12, 2024, previously requested by Appellant more than one year earlier” is vague and ambiguous and appears to reference documents that were never presented to the lower court, the Court should grant Respondent’s Motion to Strike, and strike these documents from the Designation as well as any references to them in Appellant’s Initial Brief.

**B. Appellant Has Failed to Demonstrate How the Documents Identified in Appellant’s Designation of Matter to Be Included in Record on Appeal Are Relevant to the Issues on Appeal.**

Appellant has failed to demonstrate how the unrelated workers’ compensation proceeding documents, settlement communications, and protected health information of unrelated third parties are relevant to his Appeal, and the Court should strike these documents from the Designation.

First, regarding the unrelated workers’ compensation proceeding documents, Appellant argues that the law allows the admission of such documents where facts overlap. In support of this argument, Appellant cites to *Miller v. State Workers’ Compensation Fund*, 379 S.C. 129, 665 S.E.2d 612 (2008), which appears to be a non-existent case. Not only is Appellant’s argument

unsupported by legal authority, but it lacks factual support as well. Specifically, Appellant does not explain how the testimony and correspondence of two individuals—neither of whom had any involvement in the decision to terminate Appellant’s employment—bear on the narrow issues presented in this appeal.

With respect to the settlement communications (D(12); Exhibit 12), these documents consist of correspondence between Appellant and an attorney representing Respondent in an unrelated legal matter that occurred months after Appellant’s termination. In Appellant’s Opposition, Appellant offers no explanation as to how these post-termination communications bear any relevance to the issue on appeal. Rather, in response to Respondent’s Motion to Strike, Appellant has summarily asserted these documents are relevant pursuant to *In re Evans*, 410 S.C. 614, 765 S.E.2d 67 (2014), which also appears to be a non-existent opinion. Accordingly, these documents should be stricken.

Next, pertaining to the protected health information of unrelated third parties (Exhibit 24; Exhibit 25), Appellant contends that these documents are properly included in the Designation solely because they “originated from Respondent’s files and were produced in discovery.” However, the mere fact that a document was produced in discovery does not, in itself, establish its relevance to the narrow issue on appeal. Appellant’s Opposition offers no factual argument, nor any legal basis, to demonstrate how these exhibits bear on the narrow issues on appeal. In the absence of such a showing, their inclusion is improper. Accordingly, Exhibits 24 and 25 should be stricken from the Designation.

### **CONCLUSION**

For all of the foregoing reasons, and any others that this Court may find just and proper, Respondent respectfully requests that the Court GRANT Respondent’s Motion to Strike Portions

of Appellant's Designation of Matter to be Included in Record on Appeal Along with Portions of Appellant's Initial Brief Referencing the Same.

Respectfully submitted,

s/Amanda C. Williams

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ATTORNEYS FOR RESPONDENT

June 20, 2025

Charleston, South Carolina

**RECEIVED**  
**Jun 20 2025**  
**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas  
Maite Murphy, Circuit Court Judge

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Appellate Case No. 2025-000108  
Case No.: 2023-CP-38-00331

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Serge R. Wandji.....Appellant,

v.

The Regional Medical Center.....Respondent,

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**PROOF OF SERVICE**

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The undersigned hereby certifies that a copy of **RESPONDENT’S REPLY IN SUPPORT OF MOTION TO STRIKE PORTIONS OF APPELLANT’S DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL ALONG WITH PORTIONS OF APPELLANT’S INITIAL BRIEF REFERENCING THE SAME** was served on Appellant, Serge R. Wandji this 20th day of June 2025, by electronic mail and U.S. mail, as follows:

Serge R. Wandji  
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s/Amanda C. Williams

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June 20, 2025

**VIA EMAIL: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

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**Jun 20 2025**

**SC Court of Appeals**

Re: ***Serge R. Wandji v. The Regional Medical Center***  
**Appellate Case No.: 2025-000108**  
**Trial Court Case No.: 2023-CP-38-00331**

Dear Mrs. Kitchings:

Enclosed for filing please find the following:

(1) Respondent's Reply in Support of Motion to Strike Portions of Appellant's Designation of Matter to be Included in Record on Appeal Along with Portions of Appellant's Initial Brief, and

(2) Proof of Service.

Thank you and with kind regards, I am

Sincerely,

Amanda C. Williams

Enclosures

cc: Serge R. Wandji (via electronic mail and U.S. Mail)