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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity

Case No. 2018-CP-10-4083
Appellate Case No.: 2022-001114

Charleston Carriage Works, LLC, Appellant,

v.

Charleston Animal Society, Ellen Harley, and
Charleston Carriage Horse Advocates, LLC. Respondents.

SECOND SUPPLEMENTAL RECORD ON APPEAL

s/ Elizabeth J. Palmer

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TRANSCRIPTS

March 28, 2019

Transcript of Broderick Christoff, Vol II (p.45)
And Exhibit 11

2093

IN THE COURT OF COMMON PLEAS
FOR THE STATE OF SOUTH CAROLINA
CHARLESTON COUNTY

VIDEO DEPOSITION OF BRODERICK CHRISTOFF
VOLUME II

CHARLESTON CARRIAGE WORKS, LLC,

Plaintiff,

vs. CASE NO. 2018-CP-10-4083

CHARLESTON ANIMAL SOCIETY, ELLEN HARLEY and
CHARLESTON CARRIAGE HORSE ADVOCATES, INC.,

Defendants.

DEPONENT: BRODERICK CHRISTOFF

DATE: MARCH 28, 2019

TIME: 10:05 A.M.

LOCATION: ROSEN HAGOOD
CHARLESTON, SC

REPORTED BY: RUTH L. MOTT, RPR, CRR
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1 to be an important issue?

2 A. Since the Big John video was released, yes.

3 Q. And so before the Big John video, you
4 believe the Animal Society was acting to bring
5 awareness to an important issue?

6 A. No, I think they were acting to bring an end
7 to the Charleston carriage industry as a whole, but
8 not necessarily towards me specifically. Towards
9 me specifically didn't start until the Big John
10 situation unfolded.

11 Q. Do you agree that people can have different
12 opinions as to what is and is not humane treatment
13 of an animal?

14 A. Yes.

15 Q. Do you believe that there's anything about
16 the conditions of the Charleston carriage horses'
17 working conditions that needs improvement?

18 A. Would you repeat that.

19 Q. Sure. It was a poorly worded question.

20 Is it -- do you think that there's any area
21 that needs improvement in the conditions of the
22 horses' working conditions?

23 A. No.

24 Q. Okay. I'm looking at paragraph 21 now. And
25 this is part of the allegations that you've pled

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https://www.postandcourier.com/business/communication-breakdown-led-to-charleston-carriage-horse-accident/article_8074a942-f84d-11e6-bdb4-3f09e9691dao.html

Communication breakdown led to Charleston carriage horse accident

BY DAVE MUNDAY DMUNDAY@POSTANDCOURIER.COM

FEB 21, 2017

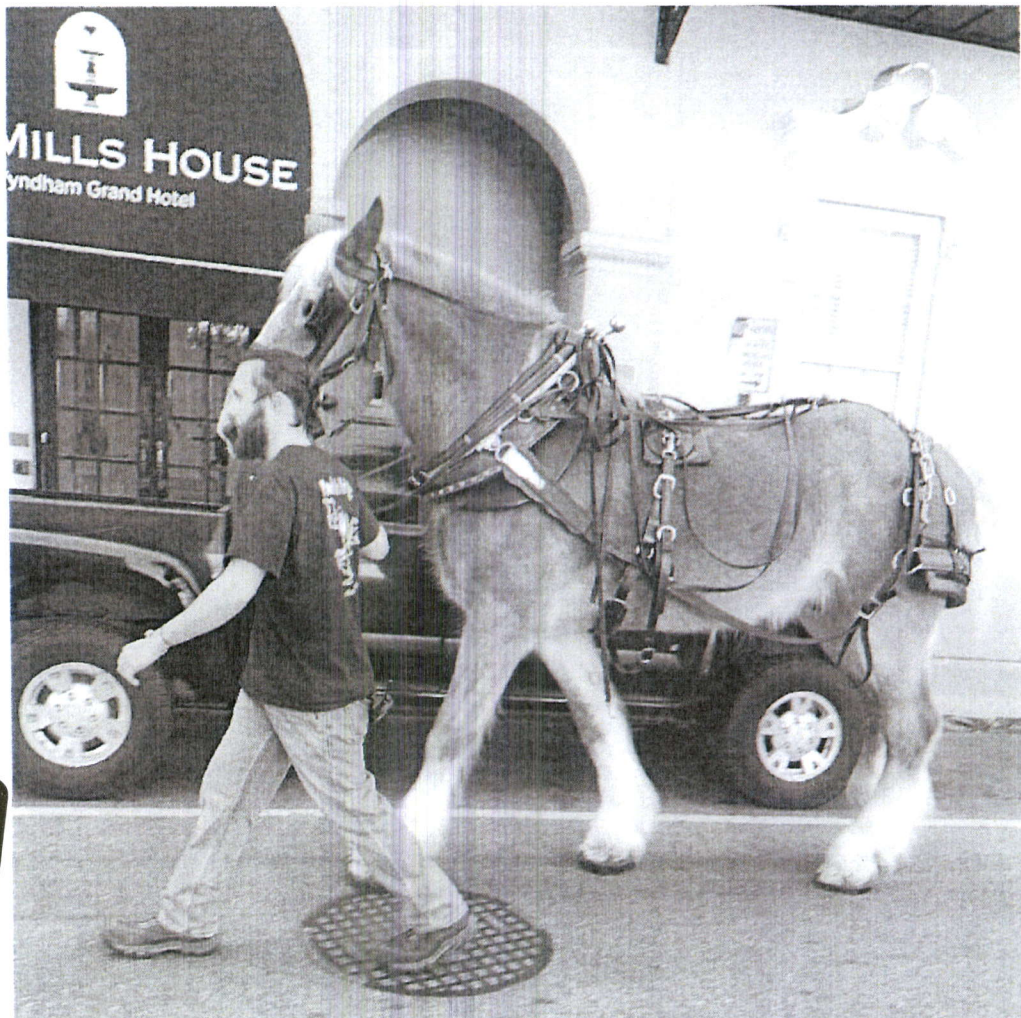


EXHIBIT
 11-Christyfo
 3.28.17
 PENGAD 800-631-6989

Chief is led away from the accident scene Sunday. Ellen Harley/Provided

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The driver of a carriage full of tourists knew they were in trouble when he heard the bagpipes coming.

Will Green, a driver for Charleston Carriage Works, was between cars Sunday afternoon as police blocked off a parade route. He ended up on his head on the pavement at King and Queen streets, and the horse ended up on the front of an automobile, denting the hood and leaving children inside crying.

“The parade gets louder and louder,” Charleston Carriage Works owner Broderick Christoff said Tuesday. “The driver is basically just sitting there watching the fuse burn, and it gets to the point where the people on the carriage are trying to get the police officer’s attention to just move so they can go.

“At that point, the driver tells people on the carriage, ‘Hold on, because we’ve done everything we can do and it’s going to be what it’s going to be at this point.’”

The bagpipes were part of a parade by the Washington Light Infantry. Around 12:20 p.m., the parade was heading east on Queen Street toward a memorial service at Washington Square on Broad Street. The carriage was heading south on King Street and was stopped by police at Queen.

As the bagpipers approached, the horse jumped backward. Green hit the pavement headfirst. He was taken to Medical University Hospital to be checked and released, according to Christoff.

His 12 passengers were shaken around but reported no injuries. Chief, the horse, was not hurt.

Two vehicles were damaged, including a big dent on the hood of one of them, and a shower of horse manure on the windshield. The occupants, including children, were not hurt but shaken up, according to Ellen Harley, a downtown resident who arrived shortly after the accident.

“There was a lot of commotion, a lot people standing around talking, hands over their mouths,” said Harley, a critic of the carriage industry. “The saddest thing to me was seeing some of the children from the van with their mom crying. From the looks of them, it was traumatic for them.”

Usually, the city keeps carriages away from such parades, since horses tend to spook around loud noises. The problem in this case was that the application for a permit didn’t mention there would be live music involved, so it wasn’t flagged as a problem, said Dan Riccio, director of the Department of Livability and Tourism.

“When an event indicates that there is going to be some loud music in the street, we automatically issue a reroute for carriages on that day and time,” he said Tuesday. “If there is anything indicating that there would be a potential danger to these horses and carriages and pedestrians, we do an immediate reroute. Had we had the indications on this permit that there would be the live music, there would have definitely been a reroute and tourism officers in the area.”

The application said there would be about 50 people in the parade, including Citadel cadets, but didn’t mention they would be playing bagpipes.

Questions about the application were referred to Washington Light Infantry Battalion Commander Henry Siegling. He didn’t immediately return a phone message Tuesday.

Christoff wasn’t happy with the city’s explanation. First of all, the city has always warned carriage companies to avoid parades of this size, even without loud music, he said.

More importantly, the officer blocking the intersection could have moved up a few feet to let them past but refused. Christoff noted in his report to the city that even passengers were yelling at the officer to move out of the way as the horse grew more restless. He said he’s making an issue of it to keep it from happening again.

“The situation was caused by the fact that the police department would not move their vehicle,” he said.

The police department didn't release the incident report or provide more information Tuesday.

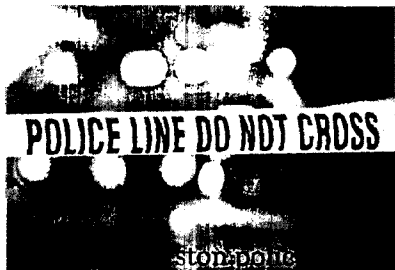
Reach Dave Munday at 843-937-5553.

DAVE MUNDAY

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Charleston carriage company says horse just decided to lie