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**Sep 02 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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**REPLY IN SUPPORT OF MOTION TO MODIFY THE RECORD ON APPEAL  
AND HOLD TIME IN ABEYANCE**

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The above-named Respondent, by and through its undersigned counsel, respectfully submits this Reply in Support of its Motion to Modify the Record on Appeal and to Hold Time in Abeyance based upon the following:

1. Contrary to Appellant’s assertion, Respondent’s Motion to Modify the Record on Appeal and Hold Time in Abeyance (“Respondent’s Motion”) was submitted in good faith and in an effort to ensure that all documents set forth in the parties’ respective Designations of Matter were properly included in the Record on Appeal. As set forth in Respondent’s Motion, some documents were completely missing from the Record on Appeal and others were not properly included and/or contained various errors. Thus, the errors identified by Respondent were not, as Appellant characterized, simply clerical or formatting issues.

2. In light of the foregoing, Respondent requested that the deadline to submit final briefs be held in abeyance because the final briefs cannot be prepared until Appellant properly includes all designated documents in the Record such that Respondent can correctly reference where the material cited in the brief appears in the Record on Appeal. *See* Rule 211(b)(1), SCACR. Since all materials were not properly included in the Record on Appeal, Respondent cannot prepare its final brief. Thus, any delay in the final briefing process is not due to Respondent's alleged attempt to delay the proceedings, but rather Appellant's failure to prepare a correct and complete Record.

3. As to the four errors identified by Respondent in its Motion, Appellant fails to delineate any colorable basis in fact or in law for why Respondent's Motion should be denied.

4. In regards to **Error #1**, contrary to Appellant's assertion, the Dismissal Order is not included in the Record on Appeal at pages 29-30. The Record only contains the electronic filing notice, and thus, the Record must be supplemented.

5. In regards to **Error #2**, Appellant appears to acknowledge that Respondent's Memorandum in Support of Motion for Summary Judgment, including all exhibits, was not submitted by Appellant as it was filed by Respondent with the lower court. Though Appellant summarily asserts that the issues identified by Respondent in its Motion are "[m]inor formatting differences," the inclusion of illegible pages (which are not entirely duplicative of documents elsewhere in the record), as well as the failure to include certain parts of the exhibits to the Memorandum in Support of Motion for Summary Judgment, constitutes more than "minor formatting differences." Appellant has provided no credible basis for his refusal to correct the Record on Appeal with the proper document, and thus, Respondent's Motion should be granted.

6. In regards to **Error #3**, Appellant fails to delineate why the extraneous pages included in the Record at pages 211-212 and 215 were included in the Record on Appeal. In fact,

pages 211-212 do not even bear the same filing date as the Final Order, and thus, must be removed as improperly included.

7. In regards to **Error #4**, in its Motion, Respondent opposed Appellant's inclusion of the "Court-Ordered Rewritten Requests for Production and Interrogatories" in the Record on Appeal because (1) this document is not part of the Designation of Matter and (2) Appellant's purported reason for the inclusion of this extraneous document is misleading and a blatant mischaracterization of the facts.

As an initial matter, Appellant's Amended Designation of Matter never requested the inclusion of Appellant's "Court-Ordered Rewritten Requests for Production and Interrogatories." Appellant only requested the inclusion of the circuit court's Form 4 Order granting Plaintiff's Motion to Compel in part, filed by Judge Thomas W. McGee III on November 5, 2024 ("Form 4 Order on Motion to Compel"). Because the "Court-Ordered Rewritten Requests for Production and Interrogatories" is an entirely separate document that is not relevant to the appeal, it should be removed from the Record.

Second, contrary to Appellant's assertion, the inclusion of the "Court-Ordered Rewritten Requests for Production and Interrogatories" does not demonstrate that Respondent never fully complied with Judge McGee's directive or that summary judgment was granted when discovery remained incomplete. As set forth in the Form 4 Order on Motion to Compel, Respondent was granted until November 12 to serve responses to Appellant's rewritten discovery requests. Though not addressed by Appellant in his Opposition, Respondent complied with the Form 4 Order on Motion to Compel and served responses by the court ordered deadline, which fell prior to the hearing on the summary judgment. (Def.'s Answers to Pl.'s Revised Discovery, **Exhibit A**.) Thus, Appellant's attempt to include the "Court-Ordered Rewritten Requests for Production and Interrogatories" for the purported purpose of demonstrating that Respondent allegedly did not

comply with the judge's directive is misleading and a blatant mischaracterization of the facts. Appellant's attempt to mischaracterize the facts and to attempt to include documents that were not part of the Designation of Matter is improper, and pages 219 - 221 in the Record on Appeal should be removed because they are not part of the Form 4 Order on Motion to Compel.

### **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 Modify the Record on Appeal and Hold Time in Abeyance.

Respectfully submitted,

s/Amanda C. Williams

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Amanda C. Williams (SC Bar No.: 76588)

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Megan M. Feltham (SC Bar No.: 105473)

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ATTORNEYS FOR RESPONDENT

September 2, 2025  
Charleston, South Carolina

# **Exhibit A**



**Amanda C. Williams**

**Partner**

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Atlanta, GA  
Charleston, SC  
Charlotte, NC  
Columbia, SC  
Greenville, SC  
Raleigh, NC  
Spartanburg, SC  
Washington, DC

November 12, 2024

**VIA US MAIL AND E-MAIL**

Serge Wandji  
PO Box 523  
Columbia, SC 29202  
[sergewandji@gmail.com](mailto:sergewandji@gmail.com)

**RE: *Serge R. Wandji v. The Regional Medical Center and Dr. John H. Samies*  
Case No. 2023-CP-38-00331**

Dear Mr. Wandji:

Enclosed for service upon you, please find the following:

1. Defendant The Regional Medical Center's Responses to Plaintiff's Revised Requests for Production and Revised Set of Interrogatories; and
2. Documents bates numbered RMC-Wandji 0114-0115
3. Defendant's Privilege Log.

Thank you and with kinds regards, I am

Sincerely,

A handwritten signature in blue ink that reads 'Amanda C. Williams'.

Amanda C. Williams

ACW/cle  
Enclosures

PPAB 11694019v1

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIRST JUDICIAL CIRCUIT
COUNTY OF ORANGEBURG	)	
	)	Civil Action No. 2023-CP-38-00331
Serge R. Wandji,	)	
	)	
Plaintiff,	)	<b>DEFENDANT’S RESPONSES TO</b>
	)	<b>PLAINTIFF’S REVISED REQUESTS</b>
vs.	)	<b>FOR PRODUCTION AND REVISED SET</b>
	)	<b>OF INTERROGATORIES</b>
The Regional Medical Center, and	)	
Dr. John H. Samies,	)	
	)	
Defendants.	)	

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Pursuant to Rules 26 and 34 of the South Carolina Rules of Civil Procedure, Defendant The Regional Medical Center (hereinafter “Defendant”), by and through its undersigned counsel, hereby responds to the Revised Requests for Production of Plaintiff Serge R. Wandji (Plaintiff”) as follows:

**PRELIMINARY STATEMENT**

Defendant has not completed the investigation, discovery or analysis of all facts of this case and has not completed preparation for trial. Accordingly, each of the following Responses is provided without prejudice to Defendant’s right to introduce at trial any evidence that is subsequently discovered relating to proof of presently known facts and to produce and introduce all evidence, whenever discovered, relating to the proof of subsequently discovered material facts. Moreover, facts, documents and things now known may be imperfectly understood and accordingly, such facts, documents and things may not be included in the following Responses. Defendant reserves the right to reference, discover or offer into evidence at the time of trial, any and all facts, documents and things notwithstanding the initial Responses and objections interposed herein. Defendant further reserves the right to reference, discover or offer into evidence at the time of trial, any and all facts, documents and things which are not presently recalled but may be recalled at some time in the future.

## ANSWERS TO INTERROGATORIES

1. Please provide a complete list of all litigation involving The Regional Medical Center (TRMC) as a defendant, including any Equal Employment Opportunity Commission (EEOC) charges or Department of Labor claims related to employment issues. Each entry must include:

- (a) civil action number or other identifying number;
- (b) jurisdiction and forum in which the action was filed;
- (c) nature of the claim or action; and
- (d) final resolution of the claim or action.

**ANSWER: Pursuant to the Court's November 11, 2024 Order, the only lawsuit filed against Defendant during the period March 15, 2020 until March 15, 2022 that involved allegations of wrongful termination, other than this present matter, is the following:**

- ***Elizabeth A. McKinney v. Regional Medical Center of Orangeburg and Calhoun Counties; Orangeburg County; and Calhoun County; Case No. 5:21-cv-00909-CMC-KDW; District of South Carolina, Orangeburg Division; Discrimination in Violation of the Americans with Disabilities Act; resolved.***

2. Provide a full list of all Workers' Compensation complaints filed with TRMC workers' compensation insurance (Antum Risk) by any of your employees who contracted the COVID-19 virus from January 1, 2021 to Present. The list must include:

- (a) employee's name (if permissible);
- (b) department or working unit; and
- (c) final resolution of each complaint.

**ANSWER: Pursuant to the Court's November 11, 2024 Order, Defendant need not respond to this Interrogatory.**

3. Provide a full list of all Workers' Compensation complaints filed with the South Carolina Workers' Compensation Commission against TRMC by employees who contracted the COVID-19 virus from January 1, 2021 to Present. The list must include:

- (a) employee's name (if permissible);
- (b) department or working unit; and
- (c) final resolution of each complaint.

**ANSWER: Pursuant to the Court's November 11, 2024 Order, Defendant need only identify the total number of COVID-19 related worker's compensation claims filed with the South Carolina Worker's Compensation Commission during the period March 15, 2020 until March 15, 2022 and whether any of those claimants were terminated from employment after filing those worker's compensation claims.**

**Only one employee, other than Plaintiff, filed a workers' compensation claim with the South Carolina Worker's Compensation Commission after contracting COVID-19. That employee was not terminated from employment after filing the claim with the Commission.**

4. Identify all TRMC employees who contracted COVID-19, as reported to the Centers for Disease Control and Prevention (CDC) and other federal and state agencies, from January 1, 2021, to the present. Each entry must specify employee's working unit/department.

**ANSWER: Pursuant to the Court's November 11, 2024 Order, Defendant need not respond to this Interrogatory.**

5. Produce all COVID-19-related financial reports prepared for insurance reimbursement or government funding, including but not limited to funds received from the CARES Act.

**ANSWER: Pursuant to the Court's November 11, 2024 Order, Defendant need not respond to this Interrogatory.**

6. Provide a detailed account of all CDC reports submitted by TRMC regarding staff infections with COVID-19 for the year 2021, broken down by month and identifying the working unit/department of each infected employee.

**ANSWER: Pursuant to the Court's November 11, 2024 Order, Defendant need not respond to this Interrogatory.**

7. Describe any criminal charges brought against TRMC or its representatives from January 1, 2020, to the present. Include the date, jurisdiction, and type of charge.

**ANSWER:** Pursuant to the Court's November 11, 2024 Order, Defendant need not respond to this Interrogatory.

**RESPONSES TO REQUESTS FOR PRODUCTION**

1. Produce all documents reflecting communications between TRMC and any third parties, including government agencies, regarding:

- (a) Plaintiff's employment;
- (b) Plaintiff's illness; and
- (c) Allegations set for in the Complaint.

**RESPONSE:** Defendant objects to this Request to the extent it seeks information, documents or other communications that are protected from discovery by the attorney-client privilege, work-product doctrine, or any other privilege or doctrine. Subject to and without waiving the foregoing objection and pursuant to the Court's November 11, 2024 Order, Defendant directs Plaintiff to Defendant's prior document production bates numbered RMC-Wandji 0001-0113 and supplemental documents bates numbered RMC-Wandji 0114-0115. See attached privilege log for communication withheld on privilege grounds.

2. Produce any documents indicating any statement or representation made by Defendant (or others on Defendant's behalf) that constitutes an objection or denial concerning the facts of this case of any allegations in the Complaint.

**RESPONSE:** Defendant objects to this Request to the extent it seeks information, documents or other communications that are protected from discovery by the attorney-client privilege, work-product doctrine, or any other privilege or doctrine. Subject to and without waiving the foregoing objection and pursuant to the Court's November 11, 2024 Order, Defendant directs Plaintiff to Defendant's prior document production bates numbered RMC-Wandji 0001-0113 and supplemental documents bates numbered RMC-Wandji 0114-0115. See attached privilege log for communication withheld on privilege grounds.

3. Provide all notes, emails, writings, or other documents created by or for TRMC (or others on Defendant's behalf) that pertain to Plaintiff's employment, illness, or any related matters. Including but not limited to emails and communications made by then Director of Human Resources Mrs. Tina Norris to any person other than the two attorneys who worked on this case, about Plaintiff's employment, illness, or any related matter.

**RESPONSE:** Defendant objects to this Request to the extent it seeks information, documents or other communications that are protected from discovery by the attorney-client privilege, work-product doctrine, or any other privilege or doctrine. Subject to and without waiving the foregoing objection and pursuant to the Court's November 11, 2024 Order, Defendant directs Plaintiff to Defendant's prior document production bates numbered RMC-Wandji 0001-0113 and supplemental documents bates numbered RMC-Wandji 0114-0115. See attached privilege log for communication withheld on privilege grounds.

4. Produce all diaries, reports, internal emails, calendars, journals, social media postings, text messages, and any other personal or business records maintained by TRMC that relate to Plaintiff's employment or this case. Including but not limited to emails and communications made by then Director of Human Resources Mrs. Tina Norris to any person other than the two attorneys who worked on this, about Plaintiff's employment, illness, or any related matters.

**RESPONSE:** Defendant objects to this Request to the extent it seeks information, documents or other communications that are protected from discovery by the attorney-client privilege, work-product doctrine, or any other privilege or doctrine. Subject to and without waiving the foregoing objection and pursuant to the Court's November 11, 2024 Order, Defendant directs Plaintiff to Defendant's prior document production bates numbered RMC-Wandji 0001-0113 and supplemental documents bates numbered RMC-Wandji 0114-0115. See attached privilege log for communication withheld on privilege grounds.

5. Produce all documents and information provided to Dr. John H. Samies from TRMC's Employee Health and Infection Control Department regarding Plaintiff's exposure and infection with COVID-19.

**RESPONSE:** Defendant objects to this Request as being overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Specifically, Dr. Samies had no supervisory authority over Plaintiff, nor did he have any input into the decision to terminate Plaintiff's employment. Plaintiff's only remaining cause of action is for workers' compensation retaliation. As such, any documents or information provided to Dr. Samies by Defendant regarding Plaintiff's exposure and infection with COVID-19 is unrelated to the claims and defenses in this matter. Subject to and without waiving the foregoing objections, Defendant directs Plaintiff to Defendant's prior document production bates numbered RMC-Wandji 0001-0113. Upon information and belief, all documents presented to Dr. Samies for his review are contained in Defendant's prior document production.



Amanda C. Williams

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ATTORNEY FOR DEFENDANT

November 12, 2024

Charleston, South Carolina

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIRST JUDICIAL CIRCUIT
COUNTY OF ORANGEBURG	)	
	)	Civil Action No. 2023-CP-38-00331
Serge R. Wandji,	)	
	)	
Plaintiff,	)	<b>CERTIFICATE OF SERVICE</b>
	)	
vs.	)	
	)	
The Regional Medical Center, and	)	
Dr. John H. Samies,	)	
	)	
Defendants.	)	

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I certify that a copy of the foregoing **DEFENDANT’S RESPONSES TO PLAINTIFF’S REVISED REQUESTS FOR PRODUCTION AND REVISED SET OF INTERROGATORIES** have been served upon the following *Pro Se Plaintiff* by emailing and mailing a copy of the same to him addressed as shown below this 12<sup>th</sup> day of November 2024:

Serge R. Wandji  
 PO Box 523  
 Columbia, SC 29202  
[sergewandji@gmail.com](mailto:sergewandji@gmail.com)

*Pro Se Plaintiff*



\_\_\_\_\_  
 PARKER POE ADAMS & BERNSTEIN LLP  
 850 Morrison Drive, Suite 400  
 Charleston, SC 29403  
 Phone: (843) 727-2650

**RECEIVED**

**Sep 02 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 we served the above-named Appellant, Serge R. Wandji, with a copy of the attached **REPLY IN SUPPORT OF MOTION TO MODIFY THE RECORD ON APPEAL AND HOLD TIME IN ABEYANCE**, this 2<sup>nd</sup> day of September 2025, by electronic mail and U.S. mail, as follows:

Serge R. Wandji  
579 Folly Road, P.O. Box 12112  
Charleston, SC 29422  
[sergewandji@gmail.com](mailto:sergewandji@gmail.com)

s/Amanda C. Williams

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Amanda C. Williams (SC Bar No.: 76588)

Email: [amandawilliams@parkerpoe.com](mailto:amandawilliams@parkerpoe.com)

Megan M. Feltham (SC Bar No.: 105473)

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Spartanburg, SC  
Washington, DC

September 2, 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

**RECEIVED**

**Sep 02 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 Modify the Record on Appeal and Hold Time in Abeyance, 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)