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**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas

Michael G. Nettles, Circuit Court Judge

Civil Action No. 2022-CP-21-01980

Appellate Case No. 2025-002541

Noah Veon, on behalf of himself and All others  
similarly situated ..... Respondent,

v.

Richard Janes Schueler, A/K/A “Richard Heart,” ..... Defendant,

Benjamin DuBard.....Proposed Intervenor/Appellant

**PROPOSED INTERVENOR/APPELLANT’S DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL**

Proposed Intervenor/Appellant Benjamin DuBard designates the following material under Rule 209, SCACR, for inclusion in the record on appeal. Undersigned counsel certifies, under Rule 209(c), SCACR, that the designation contains no matter which is irrelevant to this appeal.

**Orders**

1. Order granting Plaintiff’s Motion for Service by Other Means, October 24, 2022
2. Entry of Default as to Defendant Richard James Schueler, November 15, 2022
3. Order granting Plaintiff’s motion for complex case designation and assigning Judge Nettles, January 18, 2023
4. Order denying Lorraine Schueler’s Motion for Protective Order, October 18, 2023

5. Order Granting Motion for Continuance of Hearing Set for June 25, 2024, June 25, 2024
6. Consent Order, January 27, 2025
7. Order denying DuBard's Motion to Intervene, July 23, 2025
8. Form 4 Order denying DuBard's Motion to Alter or Amend, December 9, 2025
9. Amended Form 4 Order denying DuBard's Motion to Alter or Amend, December 17, 2025

### **Pleadings**

10. Complaint, September 21, 2022
11. Notice of Amended Caption, October 18, 2023

### **Motions, Supporting Memoranda, & Other Filings**

12. Plaintiff's Memorandum in Support of Ex Parte Motion to Approve Service by Other Means, October 5, 2022
13. Memorandum in Support of Non-Party Lorraine M. Schueler's Motion for a Protective Order, August 4, 2023
14. Plaintiff's Motion for Class Certification, May 10, 2024
15. Plaintiff's Motion for Continuance, May 13, 2024
16. DuBard's Motion to Intervene, June 24, 2024
17. DuBard's Motion for Continuance of Hearing Set for June 25, 2024, June 24, 2024
18. Dubard's Motion for Protective Order and to Quash Subpoena, July 19, 2024
19. DuBard's Memorandum in Opposition to Plaintiff's Motion for Class Certification, June 6, 2025
20. DuBard's Motion to Alter or Amend Order Denying Motion to Intervene, August 1, 2025
21. Plaintiff's Memorandum in Opposition to Motion to Alter or Amend, August 15, 2025

### **Transcripts**

22. Transcript of Hearing, June 25, 2024
23. Transcript of Hearing of Motion to Intervene and Motion for Class Certification, June 10, 2025
24. Transcript of Hearing of Motion to Reconsider DuBard's Motion to Intervene, November 7, 2025

**Other**

25. Amicus Curiae Brief of PulseChain Foundation DAO in Support of Defendant Richard Schueler's Motion to Dismiss, Securities and Exchange Comm'n v. Schueler, et al., E.D.N.Y 1:23-cv-05749, April 15, 2024
26. Lorraine Schueler's Notice of Appeal, July 26, 2024
27. DuBard's Notice of Appeal with exhibits, December 18, 2025
28. Florence County Court of Common Pleas Case Docket, *Veon v. Schueler*, Case No. 2022-CP-21-01980

By: /s/ Merritt G. Abney

Merritt G. Abney (SC Bar No. 71893)  
E-Mail: merritt.abney@nelsonmullins.com  
Ashley N. Hawkins (SC Bar No. 104662)  
E-Mail: ashley.hawkins@nelsonmullins.com  
151 Meeting Street / Sixth Floor  
Post Office Box 1806 (29402-1806)  
Charleston, SC 29401-2239  
(843) 853-5200

*Counsel for Appellant/Proposed Intervenor Benjamin DuBard*

Charleston, South Carolina  
March 3, 2026