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**Mar 09 2026**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

The Honorable Robert J. Bonds, Circuit Court Judge  
The Honorable Deadra L. Jefferson, Circuit Court Judge  
The Honorable R. Kirk Griffin, Circuit Court Judge

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Case No. 2011-CP-10-07166  
Appellate Case No. 2026-000244

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OTHA DELANEY, Individually  
and on behalf of all others  
similarly situated, Respondent,

v.

FIRST FINANCIAL OF Appellant.  
CHARLESTON, INC.,

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**APPELLANT’S MOTION TO AMEND  
THE NOTICE OF APPEAL AND STAY  
DEADLINES**

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Appellant First Financial of Charleston, Inc. (“Appellant”), out of an abundance of caution, to the extent such a motion is necessary, hereby moves to amend the Notice of Appeal or otherwise add to the appealed orders in this matter as reflected in the attached Amended Notice of Appeal (Exhibit A), which is served/filed contemporaneously herewith as a result of the circuit court ruling on a motion to reconsider an order included in the prior notice.

Appellant served its original Notice of Appeal on February 2, 2026 (the “Original Notice”). (Exhibit B, Original Notice). In the Original Notice, Appellant appealed multiple

Orders of the circuit court. Relevant to this Motion to Amend, Appellant included in its Original Notice the January 22, 2026, Order of the Honorable Judge Robert J. Bonds (The “January 22 Order”). Specifically, Appellant appealed the January 22 Order with respect to (1) the circuit court’s denial of Respondent’s Motion to reconsider the September 18, 2025 Order that granted Respondent’s Motion for Summary Judgment<sup>1</sup>, and (2) the circuit court’s grant of Respondent’s Motion to Intervene, filed July 16, 2025, and supplemented July 31, 2025.<sup>2</sup> (Exhibit C, January 22 Order).

Appellant filed the Original Notice out of an abundance of caution given the altered deadline to appeal under this Court’s prior dismissal without prejudice pursuant to *Hudson v. Hudson*, 290 S.C. 215, 349 S.E.2d 341 (1986) and the circuit court’s inclusion of multiple rulings within the January 22 Order. At the time the Original Notice was filed, the circuit court had not yet ruled on Appellant’s Motion to Reconsider the January 22 Order with respect to the circuit court’s grant of Respondent’s Motion to Intervene. Via Order dated February 26, 2026 (the “February 26 Order”), the circuit court denied Appellant’s Motion to Reconsider the January 22 Order’s grant of Respondent’s Motion to Intervene. (Exhibit D, February 26 Order).

Appellant seeks to include the February 26 Order in this appeal to the extent it denies Appellant’s Motion to Reconsider the January 22, 2026 Order granting Respondent’s Motion to Intervene.<sup>3</sup> Appellant believes it is proper to include the February 26 Order<sup>4</sup> in the appeal, as

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<sup>1</sup> The September 18, 2025, Order also included rulings on other matters, which have not been discussed for brevity.

<sup>2</sup> As noted in Appellant’s Original Notice, the January 22, 2026, also denied Respondent’s Motion for Sanctions; however, Appellant has not appealed this Order with respect to the circuit court’s denial of Respondent’s Motion for Sanctions.

<sup>3</sup> While this ruling similarly contains a ruling on Respondent’s Motion to Reconsider the January 22, 2026, Order with respect to the denial of Respondent’s Motion for Sanctions, Appellant *is not* appealing this Order with respect to the circuit court’s denial of Respondent’s

the January 22, 2026 Order granting the underlying Motion to Intervene was already included in the Original Notice, and the February 22, 2026 Order denying Appellant's Motion to Reconsider the same should be included in this appeal. Furthermore, Appellant is informed and believes that no prejudice will come to Respondent through the Court's grant of this Motion to Amend and inclusion of the February 22 Order in this appeal.

Appellant further requests that this Court stay deadlines pending its decision on this Motion pursuant to Rule 240(b), SCACR.

This 9<sup>th</sup> day of March, 2026.

Respectfully submitted,

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---

Motion for Sanctions.

<sup>4</sup> Only with respect to the circuit court's ruling on Appellant's Motion to Reconsider the grant of Respondent's Motion to Intervene. Appellant *is not* appealing the February 22 Order with respect to the denial of Respondent's Motion to Reconsider the January 22, 2026, Order.

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The Honorable R. Kirk Griffin, Circuit Court Judge  
Case No. 2011-CP-10-07166

Appellate Case No.

First Financial of Charleston, ..... Appellant,

v.

Otha Delaney, individually and on behalf of all others similarly situated,  
..... Respondent.

**PROOF OF SERVICE**

I certify that I have served *First Financial of Charleston's Motion to Amend the Notice of Appeal and Stay Deadlines*, upon the parties below by electronic mail, addressed as follows:

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This 9<sup>th</sup> day of March, 2026.

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**Subject:** Delaney v. First Financial of Charleston; Appellate Case No.: 2026-000244; State Court Case No.: 2011-CP-10-07166; CSVL File No.: 70041  
**Date:** Monday, March 9, 2026 4:55:00 PM  
**Attachments:** [image001.png](#)  
[Delaney Motion to Amend Notice of Appeal.pdf](#)  
[Exhibit A.pdf](#)  
[Exhibit B.pdf](#)  
[Exhibit C.pdf](#)  
[Exhibit D.pdf](#)

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Good afternoon everyone,

We are providing you with a copy of Appellant's Motion to Amend the Notice of Appeal in this case, together with Exhibits A through D, all of which we will be filing with the Court of Appeals today.

Best regards,



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OTHA DELANEY, Individually  
and on behalf of all others  
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v.

FIRST FINANCIAL OF Appellant.  
CHARLESTON, INC.,

---

AMENDED NOTICE OF APPEAL<sup>1</sup>

---

First Financial of Charleston, Inc., appeals the following matters from the Honorable Robert J. Bonds:

1. The **Form 4 Order filed August 20, 2025**, which granted Respondent's Motion for Summary Judgment, filed August 6, 2024, and directed Respondent to prepare a detailed Order; denied Appellant's Motion for Summary Judgment, filed September 11, 2024 and amended April 20, 2025, and directed Respondent to prepare a detailed Order; denied Appellant's Motion for Decertification, filed July 25, 2025; and directed the scheduling of Respondent's Motion to Intervene and Motion for Sanctions. Appellant received written notice of the entry of this Order

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<sup>1</sup> Appellant filed its original Notice of Appeal on February 3, 2026. Appellant files this Amended Notice of Appeal following the circuit court's February 26, 2026, Form 4 Order which denied Appellant's February 2, 2026, Motion to Reconsider the January 22, 2025, Order Granting Respondent's Motion to Intervene. Appellant is filing this Amended Notice of Appeal only to include this later-filed Order.

on August 20, 2025.

2. The **Order filed September 18, 2025**, which granted Respondent's Motion for Summary Judgment, filed August 6, 2024; denied Appellant's Motion for Summary Judgment, filed September 11, 2024, and amended April 20, 2025; denied Appellant's Motion to Decertify the Class, filed July 25, 2025; and denied Appellant's Motion to Reconsider the August 20, 2025, Order, filed September 2, 2025. Appellant received written notice of the entry of this Order on September 18, 2025.
3. The **Form 4 Order filed January 22, 2026**, which denied Appellant's Motion to Reconsider the September 18, 2025, Order, filed September 29, 2025; granted Respondent's Motion to Intervene, filed July 16, 2025, and supplemented July 31, 2025; and denied Respondent's Motion for Sanctions filed August 6, 2024. Appellant received written notice of the entry of this Order on January 22, 2026.<sup>2</sup>
4. The **Form 4 Order filed February 26, 2026**, which denied Appellant's February 2, 2026, Motion to Reconsider the January 22, 2026, Order Granting Respondent's Motion to Intervene filed July 16, 2025, and supplemented July 31, 2025; denied Respondent's February 2, 2026, Motion to Reconsider the January 22, 2026, Order Denying Respondent's Motion for Sanctions, filed on August 6, 2024, and directed Appellant to prepare an Order with respect to the circuit court's denial of Respondent's Motion for Sanctions. Appellant received written notice of the entry of this Order on February 26, 2026.<sup>3</sup>

First Financial of Charleston, Inc., also appeals the following matters from the Honorable Deadra L. Jefferson:

1. The **Order filed July 27, 2021**, granting Respondent's Motion for Class Certification filed March 11, 2021. Appellant received written notice of the entry of

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<sup>2</sup> Appellant is only appealing this Order with respect to the denial of Appellant's Motion to Reconsider the Order filed September 18, 2025, which granted Respondent's Motion for Summary Judgment, filed August 6, 2024; denied Appellant's Motion for Summary Judgment, filed September 11, 2024, and amended April 20, 2025; denied Appellant's Motion to Decertify the Class, filed July 25, 2025; and denied Appellant's Motion to Reconsider the August 20, 2025, Order, filed September 2, 2025; and with respect to the grant of Respondent's Motion to Intervene, filed July 16, 2025, and supplemented July 31, 2025. Appellant is *not* appealing the circuit court's denial of Respondent's Motion for Sanctions, filed August 6, 2024.

<sup>3</sup> Appellant is only appealing this Order with respect to the denial of Appellant's Motion to Reconsider the January 22, 2026, Order which granted Respondent's Motion to Intervene. Appellant is *not* appealing the circuit court's denial of Respondent's Motion to Reconsider the January 22, 2026, Order's denial of Respondent's Motion for Sanctions.

this Order on July 27, 2021.<sup>4</sup>

2. The **Order filed February 17, 2022**, which denied Appellant's Motion to Alter or Amend and/or for Reconsideration of the July 27, 2021, Order granting Respondent's Motion for Class Certification, filed August 6, 2021. Appellant received written notice of the entry of this Order on February 17, 2022.

First Financial of Charleston, Inc., also appeals the following matters from the Honorable R. Kirk Griffin:

1. The **Order filed August 19, 2021**, which denied Appellant's Motion to Dismiss the Amended Class Action Complaint, filed April 29, 2021. Appellant received written notice of the entry of this Order on August 19, 2021.<sup>5</sup>
2. The **Order filed November 8, 2021**, which denied Appellant's Motion to Reconsider the August 19, 2021, Order denying Appellant's Motion to Dismiss, filed August 30, 2021. Appellant received written notice of the entry of this Order on November 8, 2021.

Copies of the appealed orders are attached hereto.

This \_\_\_\_\_ day of March, 2026.

Respectfully submitted,

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AND

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<sup>4</sup> This Order and the Order denying Appellant's Motion to Reconsider the same are included in this notice in an abundance of caution considering the court's reliance on the prior grant of class certification in its September 18, 2025 Order.

<sup>5</sup> This Order and the Order denying Appellant's Motion to Reconsider the same are included in this notice in an abundance of caution considering the court's reliance on the prior denial of Appellant's Motion to Dismiss the Amended Class Action Complaint in its September 18, 2025 Order.

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**PROOF OF SERVICE**

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and on behalf of all others  
similarly situated, Respondent,

v.

FIRST FINANCIAL OF Appellant.  
CHARLESTON, INC.,

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NOTICE OF APPEAL

First Financial of Charleston, Inc., appeals the following matters from the Honorable Robert J. Bonds:

1. The **Form 4 Order filed August 20, 2025**, which granted Respondent's Motion for Summary Judgment, filed August 6, 2024, and directed Respondent to prepare a detailed Order; denied Appellant's Motion for Summary Judgment, filed September 11, 2024 and amended April 20, 2025, and directed Respondent to prepare a detailed Order; denied Appellant's Motion for Decertification, filed July 25, 2025; and directed the scheduling of Respondent's Motion to Intervene and Motion for Sanctions. Appellant received written notice of the entry of this Order on August 20, 2025.
2. The **Order filed September 18, 2025**, which granted Respondent's Motion for Summary Judgment, filed August 6, 2024; denied Appellant's Motion for Summary Judgment, filed September 11, 2024, and amended April 20, 2025; denied Appellant's Motion to Decertify the Class, filed July 25, 2025; and denied Appellant's Motion to Reconsider the August 20, 2025, Order, filed September 2,

2025. Appellant received written notice of the entry of this Order on September 18, 2025.

3. The **Form 4 Order filed January 22, 2026**, which denied Appellant's Motion to Reconsider the September 18, 2025, Order, filed September 29, 2025; granted Respondent's Motion to Intervene, filed July 16, 2025, and supplemented July 31, 2025; and denied Respondent's Motion for Sanctions filed August 6, 2024. Appellant received written notice of the entry of this Order on January 22, 2026.<sup>1</sup>

First Financial of Charleston, Inc., also appeals the following matters from the Honorable Deadra L. Jefferson:

1. The **Order filed July 27, 2021**, granting Respondent's Motion for Class Certification filed March 11, 2021. Appellant received written notice of the entry of this Order on July 27, 2021.<sup>2</sup>
2. The **Order filed February 17, 2022**, which denied Appellant's Motion to Alter or Amend and/or for Reconsideration of the July 27, 2021, Order granting Respondent's Motion for Class Certification, filed August 6, 2021. Appellant received written notice of the entry of this Order on February 17, 2022.

First Financial of Charleston, Inc., also appeals the following matters from the Honorable R. Kirk Griffin:

1. The **Order filed August 19, 2021**, which denied Appellant's Motion to Dismiss the Amended Class Action Complaint, filed April 29, 2021. Appellant received written notice of the entry of this Order on August 19, 2021.<sup>3</sup>

---

<sup>1</sup> Appellant is only appealing this Order with respect to the denial of Appellant's Motion to Reconsider the Order filed September 18, 2025, which granted Respondent's Motion for Summary Judgment, filed August 6, 2024; denied Appellant's Motion for Summary Judgment, filed September 11, 2024, and amended April 20, 2025; denied Appellant's Motion to Decertify the Class, filed July 25, 2025; and denied Appellant's Motion to Reconsider the August 20, 2025, Order, filed September 2, 2025; and with respect to the grant of Respondent's Motion to Intervene, filed July 16, 2025, and supplemented July 31, 2025. Appellant is *not* appealing the circuit court's denial of Respondent's Motion for Sanctions, filed August 6, 2024.

<sup>2</sup> This Order and the Order denying Appellant's Motion to Reconsider the same are included in this notice in an abundance of caution considering the court's reliance on the prior grant of class certification in its September 18, 2025 Order.

<sup>3</sup> This Order and the Order denying Appellant's Motion to Reconsider the same are included in this notice in an abundance of caution considering the court's reliance on the prior denial of Appellant's Motion to Dismiss the Amended Class Action Complaint in its September 18, 2025 Order.

2. The **Order filed November 8, 2021**, which denied Appellant's Motion to Reconsider the August 19, 2021, Order denying Appellant's Motion to Dismiss, filed August 30, 2021. Appellant received written notice of the entry of this Order on November 8, 2021.

Copies of the appealed orders are attached hereto.

This 2nd day of February, 2026

Respectfully submitted,

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**RECEIVED**

**Feb 03 2026**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

The Honorable Robert J. Bonds, Circuit Court Judge  
The Honorable Deadra L. Jefferson, Circuit Court Judge  
The Honorable R. Kirk Griffin, Circuit Court Judge  
Case No. 2011-CP-10-07166

Appellate Case No.

First Financial of Charleston, .....Appellant,

v.

Otha Delaney, individually and on behalf of all others similarly situated,  
..... Respondent.

**PROOF OF SERVICE**

I certify that I have served *First Financial of Charleston's Notice of Appeal*, upon the parties below by electronic mail, addressed as follows:

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This 2<sup>nd</sup> day of February, 2026.

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*s/Skyler C. Wilson*  
Skyler C. Wilson  
S.C. Bar No.: 102865  
***Attorney for Appellant***

Otha Delaney  
PLAINTIFF(S)

First Financial Of Charleston Inc  
DEFENDANT(S)

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  
 Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court:

This Court heard arguments from counsel on the below motions on January 9, 2026. After careful and deliberate consideration, the Court's Order is as follows:  
  
Plaintiff's Motion for Sanctions filed 8/6/24 is respectfully DENIED.  
Plaintiff's Motion to Intervene filed 7/16/25 is GRANTED.  
Defendant's Motion to Reconsider the September 18, 2025 Order, filed 9/29/25, is respectfully DENIED.

**ORDER INFORMATION**

This order  ends  does not end the case.  See Page 2 for additional information.

**For Clerk of Court Office Use Only**

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 01/22/2026 .

Frederick M. Corley for Otha Delaney  
Graham Edward Hawkins, III for Otha Delaney

  
  
  
  
  
  
  
  
  
  

**NAMES OF TRADITIONAL FILERS SERVED BY MAIL**

**Court Reporter:**

**E-Filing Note:** The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

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Charleston Common Pleas

**Case Caption:** Otha Delaney VS First Financial Of Charleston Inc

**Case Number:** 2011CP1007166

**Type:** Order/Electronic Form 4

So Ordered

s/ Robert Bonds, 2770

Otha Delaney et al  
PLAINTIFF(S)

First Financial Of Charleston Inc  
DEFENDANT(S)

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (*CHECK REASON*):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  
 Other
- ACTION STRICKEN (*CHECK REASON*):**  Rule 40(j), SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (*CHECK APPLICABLE BOX*):**  
 Affirmed;  Reversed;  Remanded;  
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court:

After careful and deliberate consideration, Defendant's Motion to Alter, Amend, and/or Reconsider Decision Granting Plaintiff's Motion to Intervene, which was filed on 2/2/2026, is respectfully DENIED.

Additionally, Plaintiff's Motion to Reconsider the Jan. 22, 2026 Order Denying Any Sanctions, which was filed on 2/2/2026, is respectfully DENIED. Defendant shall prepare a proposed order to submit to this Court within ten (10) days.

**ORDER INFORMATION**

This order  ends  does not end the case.

See Page 2 for additional information.

**For Clerk of Court Office Use Only**

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 02/26/2026 .

Frederick M. Corley for Otha Delaney  
Graham Edward Hawkins, III for Otha Delaney

**NAMES OF TRADITIONAL FILERS SERVED BY MAIL**

**Court Reporter:**

**E-Filing Note:** The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

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Charleston Common Pleas

**Case Caption:** Otha Delaney VS First Financial Of Charleston Inc

**Case Number:** 2011CP1007166

**Type:** Order/Electronic Form 4

So Ordered

s/ Robert Bonds, 2770