

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. 2026-000244

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

v.

FIRST FINANCIAL OF Appellant.
CHARLESTON, INC.,

AMENDED NOTICE OF APPEAL¹

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

¹ 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, 2026.²
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, 2026.³

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

² 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.

³ 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, 2021.⁴

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, 2021.⁵
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

⁴ 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.

⁵ 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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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 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 _____ day of March, 2026.

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RECEIVED

Feb 03 2026

SC Court of Appeals

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CHARLESTON, INC.,

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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, 2021.²
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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, 2021.³

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² 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.

³ 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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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 2nd day of February, 2026.

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s/Skyler C. Wilson
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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.



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.
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 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

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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