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Apr 14 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Court of Common Pleas

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

Appellate Case No. 2026-000244

Case No. 2011-CP-10-07166

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

v.

First Financial of Charleston, Inc.,Appellant.

MOTION TO CONSOLIDATE APPEALS

Appellants Otha M. Delaney, Octavia D. Watson, Alicia S. Alston, and Paul D. McGuiggan, Jr., individually and on behalf of all others similarly situated as Co-Class Representatives (“Appellants”), hereby move pursuant to Rule 214, SCACR, to consolidate appeals 2026-000244 and 2026-000866.¹ Appellants’ Motion is due to be granted for several reasons.

First, these two appeals involve the same order. Rule 214 expressly permits the consolidation of appeals when “there is more than one appeal from the same order, judgment, decision, or decree.” Here, both appeals involve the circuit court’s February 26, 2026, and January

¹ Appellants are filing this Motion in both appellate cases.

22, 2026 orders. Moreover, the two appeals involve the same factual and procedural records.

Second, the parties to the two appeals are the same. While Respondent's appeal (2026-000244) listed only Otha M. Delaney as the respondent, Appellants Watson, Alston, and McGuiggan are Co-Class Representatives by the circuit court's January 22, 2026 order and consequently appellants in appeal number 2026-000244. Appellants and Co-Class Representatives are, in any event, members of the certified class which is the respondent in appeal number 2026-000244.

Third, consolidation will prevent duplicative briefing and conserve judicial resources by allowing the Court to address the issues in a single proceeding. The two appeals will require the parties and the Court to manage two separate filing deadlines and potentially two separate scheduling tracks. Consolidation will create one streamlined briefing and filing schedule and may result in only one oral argument. Additionally, consolidation will avoid inconsistent results.

Fourth and finally, consolidation will not prejudice any party or delay resolution because the appeals are at the same procedural stages and no party will be deprived of the opportunity to fully brief the issues. In fact, in this almost fifteen-year-old case, consolidation will promote faster resolution to these interlocutory appeals so the underlying lawsuit may proceed to conclusion.

TWENGE + TWOMBLEY LAW FIRM

BY: s/J. Ashley Twombley
J. ASHLEY TWOMBLEY
S.C. Bar #72916
THOMAS BLASE IANDOLI
S.C. Bar #105294
311 Carteret Street
Beaufort, SC 29902
Telephone: (843) 982-0100
Facsimile: (843) 982-0103
twombley@twlawfirm.com
iandoli@twlawfirm.com

and

C. Mitchell Brown, Esquire
S.C. Bar #12872
Nelson Mullins Riley & Scarborough, LLP
P.O. Box 11070
Columbia, SC 29211
(803) 255-9595
mitch.brown@nelsonmullins.com

Attorneys for Appellants

Beaufort, South Carolina

April 14, 2026

OTHER COUNSEL OF RECORD:

Stephen L. Brown, Esquire
S.C. Bar #66468
Russell G. Hines, Esquire
S.C. Bar #72100
Clement Rivers, LLP
25 Calhoun Street, Ste 400 (29401)
P.O. Box 993
Charleston, SC 29402
(843) 720-5488
sbrown@ycrlaw.com
rhines@ycrklaw.com
Attorneys for Respondent

Amanda K. Dudgeon, Esquire
S.C. Bar #72516
MD Law Group, LLC
102 Wappoo Creek, Unit 9
Charleston, SC 29412
(843) 577-5410
mandi@mdlawsc.com
Attorneys for Respondent

Skyler C. Wilson, Esquire
S.C. Bar #102865
Brenten H. DeShields, Esquire
S.C. Bar #105199
Copeland, Stair, Valz & Lovell, LLP
40 Calhoun Street, Suite 400
Charleston, SC 29401
swilson@csvl.law
bdeshields@csvl.law
Ph: (843) 727-0307
Attorneys for Respondent

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

v.

First Financial of Charleston, Inc.,Appellant.

PROOF OF SERVICE

I certify that on the 14th day of April 2026 I have caused the service of the Motion to Consolidate Appeals on First Financial of Charleston, Inc. by electronic mail using the email address listed in the Attorney Information System, to the attorney for record at the address listed below:

Stephen L. Brown, Esquire
S.C. Bar #66468
Russell G. Hines, Esquire
S.C. Bar #72100
Clement Rivers, LLP
25 Calhoun Street, Ste 400 (29401)
P.O. Box 993
Charleston, SC 29402
(843) 720-5488
sbrown@ycklaw.com
rhines@ycklaw.com
Attorneys for Respondent

Skyler C. Wilson, Esquire
S.C. Bar #102865
Brenten H. DeShields, Esquire
S.C. Bar #105199
Copeland, Stair, Valz & Lovell, LLP
40 Calhoun Street, Suite 400
Charleston, SC 29401
swilson@csvg.law
bdeshields@csvg.law
Ph: (843) 727-0307
Attorneys for Respondent

Amanda K. Dudgeon, Esquire
S.C. Bar #72516
MD Law Group, LLC
102 Wappoo Creek, Unit 9
Charleston, SC 29412
(843) 577-5410
mandi@mdlawsc.com
Attorneys for Respondent

TWENGE + TWOMBLEY LAW FIRM

BY: s/J. Ashley Twombley
J. ASHLEY TWOMBLEY
S.C. Bar #72916
THOMAS BLASE IANDOLI
S.C. Bar #105294
311 Carteret Street
Beaufort, SC 29902
Telephone: (843) 982-0100
Facsimile: (843) 982-0103
twombley@twlawfirm.com
iandoli@twlawfirm.com

TWENGE + TWOMBLEY LAW FIRM, LLC
311 Carteret Street
Beaufort, South Carolina 29902

Ph.: 843.982.0100 Fax: 843.982.0103
Web: Twlawfirm.com

J. Ashley Twombley*
Karl D. Twenge+
Thomas Blase Iandoli

*Licensed in SC + GA
+Certified SC Circuit Court Mediator

April 14, 2026

Via Electronic Mail

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

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RE: Otha M. Delaney, individually and on behalf of all others similarly situated v. First Financial of Charleston, Inc.; Appellate Case No.: 2026-000244

Otha M. Delaney, Octavia D. Watson, Alicia S. Alston, and Paul D. McGuigan, Jr., individually and on behalf of all others similarly situated as Co-Class Representatives v. First Financial of Charleston, Inc. Appellate Case No.: 2026-000866

Dear Ms. Kitchings:

Please find attached a Motion to Consolidate Appeals and a Proof of Service in each of the referenced matters. By copy of this letter, I am serving the same upon counsel for Respondent, First Financial of Charleston, Inc.

Additionally, enclosed please find two (2) checks in the amount of \$50.00, which represents the requisite filing fee for each motion.

Thank you for your assistance in this matter. If you have any questions or need anything further, please do not hesitate to contact me.

With kindest regards, I remain,

Cordially,

J. Ashley Twombley

cc: Stephen L. Brown, Esquire (sbrown@yrcrlaw.com)
Russell G. Hines, Esquire (rhines@yrcrlaw.com)
Skyler C. Wilson (swilson@csvg.law)
Brenten H. DeShields (bdesields@csvg.law)
Amanda K. Dudgeon, Esquire (mandi@chandlerdudgeon.com)