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May 01 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Hon. Thomas W. McGee III, Circuit Court Judge

Appellate Case No. 2025-002585
Case No. 2022-CP-40-01390

Ex Parte: Mandy Matney,	Appellant,
David Voros and Alexandra Stasko,	Plaintiffs, Respondents
v.	
Allison Dunavant,	Defendant.

MEMORANDUM IN SUPPORT OF APPEALABILITY

This Court ordered the parties to submit memoranda to set forth their positions with respect to the appealability of the order compelling the Appellant Mandy Matney to appear for a deposition. In support of her position that the trial court's order requiring Ms. Matney to be deposed is appealable, Ms. Matney shows as follows:

Section 14-3-330 of the South Carolina Code determines whether a party can immediately appeal. In pertinent part, that statute reads that the following types of actions may be appealed:

(1) Any intermediate judgment, order or decree in a law case *involving the merits* in actions commenced in the court of common pleas and general sessions, brought there by original process or removed there from any inferior court or jurisdiction, and final judgments in such actions; provided, that if no appeal be taken until final judgment is entered the court may upon appeal from such final judgment review any intermediate order or decree necessarily affecting the judgment not before appealed from;

(2) An order *affecting a substantial right* made in an action when such order (a) in effect determines the action and prevents a judgment from which an appeal might be taken or discontinues the action, (b) grants or refuses a new trial or (c) strikes out an answer or any part thereof or any pleading in any action;

(3) A final order affecting a substantial right made in any special proceeding or upon a summary application in any action after judgment; and

(4) An interlocutory order or decree in a court of common pleas granting, continuing, modifying, or refusing an injunction or granting, continuing, modifying, or refusing the appointment of a receiver.

S.C. Code Ann. § 14-3-330 (2017) (emphases added).

Cozby v. Oliver, 447 S.C. 437, 441–42, 927 S.E.2d 90, 92 (Ct. App. 2026), reh'g denied (Mar. 31, 2026).

With respect to Ms. Matney, the order requiring her to be deposed, and potentially reveal her sources contrary to the reporters' privilege codified in South Carolina Code 19-11-100, **is a final order for her**. She is not a party to this action; she was dismissed from it. There are no other motions pending in this matter against Ms. Matney. If Ms. Matney is required to give deposition testimony about her sources, that bell cannot be unrung. Ms. Matney's reporter's privilege is a substantial right that is tied to her employment in a fundamental manner. None of the cases that the Appellee cites address an issue where a party asserts a privilege and is ordered to

nonetheless testify about that privileged information. For these reasons, Ms. Matney's appeal should be permitted to continue so that she can protect the substantial right of her reporter's privilege.

May 1, 2026.

s/ Rebecca K. Lindahl
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PROOF OF SERVICE

I certify that I have served the foregoing Memorandum in Support of Appealability via email in accordance with Rule 262(c)(3) of the South Carolina Rules of Appellate Procedure and the order dated April 24, 2024, by the Supreme Court of South Carolina providing for service by email on David Voros and Alexandra Stasko through their attorneys of record William R. Padget and Christina M. Brown, and on Allison Dunavant through her attorney of record Samantha Albrecht.

May 1, 2026.

s/ Rebecca K. Lindahl
Rebecca K. Lindahl

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