

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE PROBATE COURT
CIVIL CASE NO.: 2021ES0700504

IN THE MATTER OF:
**THE ESTATE OF LOIS ANN NEEL
(Decedent)**

Amanda Leah Schlender, Personal
Representative of the Estate of Lois Neel,
Decedent,

Petitioner,

v.

Virginia Moryadas,

Respondent.

**Order on Petitioner’s Motion (I)
Pursuant to SCRPC 37 and SCRPC 45,
to Compel Respondent’s Compliance
with Demands for Interrogatories and
Document Production; and (II) for an
Order Finding Respondent and LCT in
Contempt of Court Order Dated and
Entered April 8, 2024, August 29, 2024,
and November 21, 2024**

This matter came before the Court on Petitioner’s Motion (I) Pursuant to SCRPC 37 and SCRPC 45, to Compel Respondent’s Compliance with Demands for Interrogatories and Document Production; and (II) for an Order Finding Respondent and LCT in Contempt of Court Order Dated and Entered April 8, 2024, August 29, 2024, and November 21, 2024, filed with the Court on March 17, 2025 (“Motion”). The court held a hearing on the Motion on September 17, 2025, which was attended by counsel to the Petitioner and Personal Representative, Amanda Leah Schlender (“PR”), also in attendance, and counsel to Virginia Moryadas (“Respondent”), also in attendance.

At the hearing, Petitioner’s and Respondent’s respective attorneys presented arguments regarding the issues raised in the Motion. The Court has fully reviewed and considered all arguments, pleadings, materials, exhibits, and the applicable law.

Having carefully considered the foregoing, makes the following:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. All statutory requirements for jurisdiction, venue, and notice have been satisfied.



2. Petitioner filed the present motion seeking entry of an order from the Court, pursuant to South Carolina Rules of Civil Procedure (“SCRCP”) Rules 37 and 45, against Respondent and her previous company, Low Country Taxes, LLC, (“LCT”), arising from their respective failure to comply with and respond to demands for Production of Documents and Interrogatories and a SCRCP 45 subpoena, and for entry of an order against Respondent for failing to comply with this Court’s previous orders entered April 8, 2024; August 29, 2024; and November 21, 2024.
3. Respondent argues that the accounting sought has already been produced, and paid for, and that now Petitioner is seeking to encompass discovery disputes into their contempt motions.
4. Respondent also argues that Respondent, and those assisting her, made their best efforts in producing the documents that have been asked for by Petitioner, and that they should not be punished for the impossible.
5. In that regard, this Court allowed Respondent the opportunity to file affidavits, or declarations, on Respondent’s behalf.
6. One Declaration of Anita Moryadas Theisen was filed on October 14, 2025. Aside from the fact that it was untimely filed, this Court agrees with Petitioner’s arguments and finds that a declaration such as this is ultimately irrelevant to whether the Respondent herself must be found in contempt.
7. Additionally, while the Court understands Respondent’s arguments, it does not negate the fact that Respondent has not produced all of the tax returns requested, which Respondent herself prepared and was responsible for, and that Respondent has not produced all her own bank statements that have been requested, again which



she is responsible for and has control over, and only just prior to the hearing produced LCT bank statements, and that now, years after the commencement of this action, Respondent discloses that she also has a business computer where much of the tax return information is likely stored.

8. Due to this failure, Petitioner has had to bring these motions and, while the Court appreciates that additional items requested have been produced since the filing of Petitioner's latest motion, it does not negate the fact that a hearing still had to be held and expenses and fees were incurred and that items that Respondent should be able to produce are still outstanding.
9. Furthermore, this Court has not received any notice of a Rule 35 examination on behalf of Respondent, which Respondent's counsel initially said would be prepared.
10. In re Estate of Combis v. Combis, the South Carolina Court of Appeals ruled that:

"The power to punish for contempt is inherent in all courts. Its existence is essential to the preservation of order in judicial proceedings, and to the enforcement of the judgments, orders and writs of the courts, and consequently to the due administration of justice." *Curlee v. Howle*, 277 S.C. 377, 382, 287 S.E.2d 915, 917 (1982). "Civil contempt must be proven by clear and convincing evidence." *Poston v. Poston*, 331 S.C. 106, 113, 502 S.E.2d 86, 89 (1998). "Contempt results from the willful disobedience of a court order and before a person may be held in contempt, the record must be clear and specific as to acts or conduct upon which the contempt is based." *Ex parte Kent*, 379 S.C. at 637, 666 S.E.2d at 923. "A willful act is one which is 'done voluntarily and intentionally with the specific intent to do something the law forbids, or with the specific intent to fail to do something the law requires to be done; that is to say, with bad purpose either to disobey or disregard the law.'" *Miller v. Miller*, 375 S.C. 443, 454, 652 S.E.2d 754, 759-60 (Ct. App. 2007) (quoting *Widman v. Widman*, 348 S.C. 97, 119, 557 S.E.2d 693, 705 (Ct. App. 2001)).

11. SCRCF Rule 45(e) states in relevant part:



Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a non-party to attend a deposition, permit an inspection, or produce at a place not within the limits provided by clause (ii) of subparagraph (c)(3)(A); or if served without an adequate time to respond; or if service is made upon an individual under Rule 4(d)(1) and the individual did not receive or acknowledge the subpoena.

12. On December 5, 2025, Petitioner provided a proposal to hire a Forensic Computer Analyst company named ArcherHall, which appears to be a competent company to perform a forensic analysis and extraction of documents on the newly disclosed computer relevant to the pending litigation and the current parties¹ thereto.
13. While Respondent informed the Court that a response to Petitioner's proposal would be provided by December 15, 2025, this Court has not yet received such a response.
14. Based on the facts stated above, this Court finds that Respondent and LCT have voluntarily and willfully failed to adequately comply with this Court's previous Orders and have failed to provide complete relevant production of documents that were or should have been accessible to Respondent.

NOW, IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

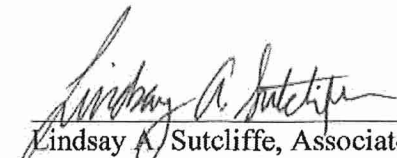
- A. Petitioner's Motion is GRANTED as set forth below; and it is further
- B. ORDERED that Respondent and LCT are found in contempt; and it is further

¹ While this Court understands that Petitioner is seeking to amend her petition to include additional respondents, the Court is limiting the forensic analysis to Decedent, Decedent's spouse, Virginia Moryadas personally and any business returns of LCT at this time.



- C. ORDERED that Respondent and LCT are ordered to pay Petitioner's attorneys fees, costs, and expenses incurred in connection with the failure to adequately comply with the Production Demands and Subpoena, including the filing of Petitioner's Motion, as outlined in the Affidavit of Denise Lynn Savage in Support of Application for Compensation Related to and Arising from Orders of Contempt Dated and Entered April 8, 2024, August 29, 2024 and November 21, 2024 ("Savage Affidavit"); and it is further
- D. ORDERED that Respondent and LCT are ordered to reimburse Petitioner for the payment of the accountant, Hobbs CPA, fees as outlined in the Savage Affidavit; and it is further
- E. ORDERED that Respondent and LCT turn over all applicable computers and any other applicable electronic devices and data to ArcherHall for a complete forensic analysis limited to the current parties and any business returns of LCT; and it is further
- F. ORDERED that Respondent and LCT shall be obligated to pay any reasonable fees, costs, and expenses of ArcherHall upon Petitioner's submission of the relevant invoices; and it is further
- G. ORDERED that Respondent shall comply with the directives of this Order as outlined in Sections C through E within twenty (20) days of this Order.

AND IT IS SO ORDERED.


Lindsay A. Sutcliffe, Associate Judge
Beaufort County Probate Court

Beaufort, South Carolina
December 22, 2025

2025 DEC 22 AM 9:59
PROBATE COURT
BEAUFORT COUNTY, SC

FILED