

EXHIBIT D

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE PROBATE COURT
CIVIL CASE NO.: 2021ES07005

FILED
2024 NOV 21 AM 10:20
PROBATE COURT, S.C.
BEAUFORT COUNTY, S.C.

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

ORDER ON RESPONDENT'S SCRC
59 AND 61 MOTIONS AND
PETITIONER'S CROSS-MOTION

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

Petitioner,

v.

Virginia Moryadas,

Respondent.

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Jun 02 2026

SC Court of Appeals

This matter came before the Court on Virginia Moryadas' (the "**Respondent**") motions under SCRC 59 and 61 (collectively, the "**Motions to Vacate**") filed with the Court, and the Personal Representative's Objections and Cross-Motion for Contempt (hereinafter the "**Cross-Motion**"). The court held a hearing on the Motions to Vacate and Cross-Motion on October 30, 2024 (the "**October Hearing**"), which was attended by counsel to the Personal Representative, Amanda Leah Schlender (hereinafter, the "**PR**"), and counsel to Virginia Moryadas (the "**Respondent**"). Based on the documents filed with and arguments made to the Court, I find as follows:

1. On January 15, 2021, Lois Neel, the Decedent (the "**Decedent**") in this Probate action passed away. Thereafter, this Probate action was commenced and, pursuant to the express terms of the original Last Will and Testament of the Decedent, Amanda Leah Schlender was appointed the Decedent's estate's personal representative (the "**PR**") by an order of this Court.
2. After the Decedent's death and commencement of the within Probate action, the PR, via her attorney, filed and served a summons and complaint (the

“**Complaint**”) with the Court on May 8, 2023 commencing the above captioned action (the “**Moryadas Action**”) against the Respondent. An answer to the Complaint was filed with the Court by the Respondent on June 26, 2023.

3. Thereafter, the PR, as Petitioner in the Moryadas Action, filed a motion for summary judgment (the “**SJ Motion**”) seeking an order from the Court compelling the Amended Accounting from the Respondent and production of Financial Records relating to the Respondent’s role as POA.
4. After a hearing on the SJ Motion and upon consent of the parties, the Court entered an order on April 8, 2024 (the “**April 8 Order**”) directing the Respondent to file an Amended Accounting and to produce certain Financial Records. The April 8 Order further directed that the Respondent file the Amended Accounting and produce the Financial Records within sixty (60) days of entry of an order. Accordingly, the Respondent was compelled by the April 8 Order to file and serve the Amended Accounting and production of financial documents on or before June 7, 2024.
5. The Respondent failed to file and serve the Amended Accounting and failed to serve Financial Records (or any other document) pursuant to the April 8 Order.
6. In addition to the mandate of the April 8 Order, on May 3, 2024, the Petitioner served a demand for production of documents (the “**Document Demand**”) and Interrogatories (the “**Interrogatories**”) on the Respondent (the Interrogatories and Document Demand are collectively hereinafter referred to as, the “**Production Demands**”). Answers to the Productions Demands were due on June 4, 2024. No documents nor responses to the Interrogatories, due to be



produced and served on or before June 4, 2024, were produced and/or served on the Petitioner.

7. In addition to the Production Demands served on the Respondent, on May 20, 2024, the Petitioner served a SCRCP 45 Subpoena (the “**LCT Subpoena**”), on Low Country Taxes LLC (“**LCT**”), an entity, as reflected in the South Carolina Secretary of State database, in which Respondent is a member and registered agent. Service on LCT was effectuated on the Registered Agent for LCT as set forth in the South Carolina Secretary of State database.
8. Having not received responses or documents to the Production Demands or the LCT Subpoena, nor compliance by Respondent with the April 8 Order, on June 17, 2024, the Petitioner served a Rule 11 letter on Darryl Tom Johnson, Esq. counsel to the Respondent, notifying him that if the Respondent and LCT did not comply with the Production Demands, LCT Subpoena and the April 8 Order, on or before June 27, 2024, the Petitioner would file a motion seeking an order from the court holding the Respondent in Contempt of the April 8 Order and file a motion to compel compliance with the Production Demands and the LCT Subpoena and for sanctions.
9. Because the Respondent has failed to comply with the April 8 Order and respond to the Production Demands, and LCT has failed to comply with the LCT Subpoena, the Petitioner filed a Motion (the “**Contempt Motion**”) seeking an order from this Court: (a) directing and compelling the Respondent to respond to the Production Demands; (b) finding LCT in violation and contempt of the LCT Subpoena and directing and compelling compliance therewith and



awarding the Petitioner Sanctions under Rule 45(e); and (c) finding the Respondent in violation and contempt of the April 8 Order, compelling compliance and sanctioning the Respondent for violating and acting in contempt of the April 8 Order.

10. A hearing on the Contempt Motion was held before the Honorable Heather Galvin on August 1, 2024 (the “**August Hearing**”).

11. Upon argument and evidence adduced at the August Hearing, Judge Galvin entered an order on August 29, 2024 finding and ordering that:

- a. The April 8 Order was duly and timely served on counsel to the Respondent;
- b. Respondent has willfully disobeyed the April 8 Order by failing to prepare, file and serve an Amended Accounting and produce Financial Records pursuant to the terms of the April 8 Order;
- c. Respondent’s disobedience of the April 8 Order was done voluntarily and intentionally with the specific intent to fail to do something the law requires to be done;
- d. Respondent failed to produce documents pursuant to the Document Demands and the LCT Subpoena;
- e. Respondent is in contempt of Court as a result of her willful disobedience of this Court’s April 8 Order;
- f. Respondent has failed to produce and respond to the Document Production and the LCT Subpoena;

- g. Based upon Respondent's contempt of the April 8 Order, Respondent shall pay sanctions to the Decedents' Estate in the sum of the full cost of a forensic accounting performed by The Hobbs Group Certified Public Accountants and Consultants, PA (the "**Hobbs Group**");
- h. On or before August 25, 2024, Respondent shall initially remit the sum of five-thousand dollars (\$5000.00) to counsel to the Petitioner by check delivered to the Coppage Law Firm, 1010 Carteret Street, Beaufort, South Carolina 29902, which funds represent the funds paid to date by the PR to the Hobbs Group;
- i. Within ten (10) days of submission to and filing with the Court, and written notice to Respondent's attorney, of all invoices from the Hobbs Group (the "**Invoices**"), Respondent shall remit, and Coppage Law Firm shall receive a check, for the entire balance due on each of the prospective Invoices filed with the Court;
- j. Based the Respondent's contempt of the April 8 Order and upon the Respondent and LCT's failure to respond and produce documents pursuant to the Production Demands and the LCT Subpoena, respectively, Respondent shall also pay all attorneys' fees, costs and expenses upon further order of this Court and submission by the PR's attorney of an Affidavit of Attorney's Fees.

(the "**August Contempt Order**")



12. The Respondent and LCT failed to comply with the August Contempt Order.
Instead, the Respondent filed the Motions to Vacate, seeking to vacate or modify the August Contempt Order and April 8 Order under SCRCP 59 and 61.
13. The PR timely filed objections to the Motions to Vacate and also filed a Cross-Motion seeking entry of another order of contempt of the August Contempt Order and for an award of sanctions and full payment of the latest Hobbs' invoice in the sum of \$8765.00 (the "**Hobbs September Invoice**")
14. The October Hearing on the Motions to Vacate and Cross-Motion were held via Webex before the Honorable Lindsay A. Sutcliffe.
15. At the conclusion of the October Hearing, the Court denied the Motions to Vacate and granted the Cross-Motion.
16. Thus, the Court, for reasons set forth on the record at the October Hearing, hereby finds that:
 - a. The April 8 Order and the August Contempt Order were duly and timely served on counsel to the Respondent and LCT;
 - b. Respondent and LCT, respectively, have willfully disobeyed the April 8 Order and the August Contempt Order;
 - c. Respondent's and LCT's disobedience, respectively, of the April 8 Order and August Contempt Order, was done voluntarily and intentionally with the specific intent to fail to do something the law requires to be done;
 - d. Respondent failed to remit a \$5000.00 check to Coppage Law Firm in payment of The Hobbs Group services;
 - e. Respondent and LCT failed to produce documents pursuant to the Production Demands and the LCT Subpoena; and
 - f. Respondent and LCT, respectively, are in contempt of Court as a result of their respective willful disobedience of this Court's April 8 Order and August Contempt Order.

WHEREFORE, it is hereby:

1. ORDERED, that Respondent's Motions to Vacate are denied; and it is further
2. ORDERED, that Petitioner's Cross-Motion is granted as set forth below; and it is further
3. ORDERED, that the Court finds the Respondent and LCT in contempt of the April 8 Order and the August Contempt Order; and it is further
4. ORDERED, that the Respondent and LCT are hereby, again, directed to fully comply with the April 8 Order and the August Contempt Order, respectively; and it is further
5. ORDERED, that while the Court finds the Respondent and LCT in Contempt of the April 8 Order and the August Contempt Order, the Court hereby orders that the Respondent is granted a thirty (30) day cure period from entry of this Order (the "**Cure Period**") to comply with the April 8 Order and the August Contempt Order as follows; and it is further
6. ORDERED, that all financial and medical records (collectively, the "**Records**") in the Respondent's and LCT's possession, custody and control shall be produced to Petitioner on or before thirty (30) days from entry of this order; and it is further
7. ORDERED, that in connection with full production of Records, if any, on or within thirty (30) of entry of this Order, the Respondent

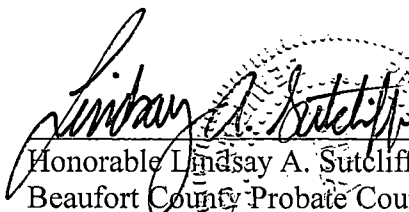


and LCT shall affirmatively represent in writing, under penalty of perjury, that all Records in the Respondent's and LCT's possession, custody or control have been produced to the Petitioner and deliver such representation, under notary signature, to the Petitioner and file such document with the Court; and it is further

8. ORDERED, that on or before thirty (30) days from entry of this Order, the Respondent shall deliver a negotiable check payable to Coppage Law Firm, LLC, at 1010 Carteret Street, Beaufort, SC 29902, to be received by Coppage Law Firm prior to the expiration of the Cure Period, in the sum of \$8765.00, in full payment of the Hobbs September Invoice; and it is further
9. ORDERED, that in the event the Respondent and LCT fail to cure the contempt of the April 8 Order and the August Contempt Order within the Cure Period, after termination of the Cure period and within ten (10) days written notification to this Court by Petitioner of failure of Respondent to cure (on notice to Respondent), this Court shall enter a further order finding the Respondent in Contempt of this Order and imposing attendant sanctions including, but not limited to, and award of attorneys' fees, costs and expenses.

AND IT IS SO ORDERED.

November 21, 2024
Beaufort, South Carolina


Honorable Lindsay A. Sutcliffe
Beaufort County Probate Court
