

STATE OF SOUTH CAROLINA

COUNTY OF EDGEFIELD

COURT OF COMMON PLEAS
2022-CP-19-00308

JOHNNETTE LATASHA JALLIM,
PLAINTIFF,

vs.

TRANSCRIPT OF RECORD

COUNTRY BOY GRASSING, LLC,
DEFENDANT.

October 6, 2025
Edgefield, South Carolina

B E F O R E:

THE HONORABLE WILLIAM P. KEESLEY, JUDGE.

A P P E A R A N C E S:

JOHN BELL, ESQ.
CHESLYNE SHEA BRIGHTHOP
Attorney for the Plaintiff

SONYA TATE, ESQ.
MARY ELIZABETH WATKINS, ESQ.
Attorney for the Defendant

RECEIVED

JUN 26 2026

SC Court of Appeals

Penny M. Johnson
Court Reporter III

1 regarding the alleged drug use of Dennis Key, the driver of
2 the vehicle. I, actually, think it may make sense to
3 address the motion to amend prior to that because,
4 obviously, that will change the character of the case
5 depending on the Court's ruling.

6 THE COURT: All right. I'll hear the motion to amend.

7 MS. BRIGHTHOP: Yes, Your Honor. We recently filed the
8 motion to amend the Complaint. As you know, based upon Rule
9 15, if opposing counsel does not consent or the Defendant
10 does not consent, then we have to request that approval from
11 Your Honor.

12 My argument is very brief. Based upon the amendment --
13 the specifications of the amendment, which I addressed in a
14 roster meeting, we are simply trying to not confuse the jury
15 regarding what will be presented at trial.

16 So the amended complaint, which was filed -- or the
17 proposed amended complaint, which was filed as Exhibit A, if
18 you look to Paragraph 20, it states the Defendant, Country
19 Boy Grassing, LLC, negligently and wrongfully entrusted its
20 Dodge flatbed truck to Dennis Key. That's, essentially,
21 what we believe opposing counsel has issue with.

22 And the reason why we amended or filed that proposal
23 for the amended complaint is we don't want to confuse the
24 jury about what would be presented as far as -- or when
25 there's deliberations during the trial. So the negligent

1 entrustment just gives more of a specification rather than
2 just an outright vicarious liability.

3 We have been told that there is prejudice to the
4 Defense based upon our proposed amendment. We would argue
5 there is not prejudice. There's a lot of factors that go
6 into the prejudice -- or to determine if there is prejudice.
7 There is no discovery burden on behalf of opposing counsel.
8 All discovery has been completed. What has been revealed in
9 the midst of depositions and written discovery, that was
10 known to the Defense prior to the filing of our proposed
11 amendment or our motion to amend. In fact, the deposition
12 of the owner, Mr. Miller, was actually done in September of
13 2023. So that was about two years ago. And this, of
14 course, was, also, known to the Defense. So we would argue
15 that there is no discovery burden and, furthermore, there is
16 no surprise.

17 This new claim or new allegation in the Complaint is
18 not complex. Again, it's just more clear and more specific
19 so there is no confusion to the jury. So for that, Your
20 Honor, we would argue that there is no prejudice to the
21 client, therefore, the motion to amend the Complaint should
22 be granted.

23 THE COURT: All right. I read the file, but I didn't
24 go and try to side-by-side -- what exactly is it that you
25 want to amend your paragraph to say?

1 MS. BRIGHTHOP: So in the proposed amended Complaint,
2 the substance of the Complaint is -- both Complaints has not
3 changed --

4 THE COURT: I'm not trying the other case.

5 MS. BRIGHTHOP: No. What I am referring to is the
6 initial Complaint that was filed and then Exhibit A, which
7 would be the proposed amended Complaint. Specifically, in
8 paragraph 20 of the proposed amended Complaint, it said that
9 Defendant, County Boy Grassing, LLC negligently and
10 wrongfully entrusted his Dodge flatbed truck to Dennis Key.
11 That particular paragraph is not in the initial Complaint.

12 THE COURT: So are you adding a negligent entrustment
13 cause of action that was not there before?

14 MS. BRIGHTHOP: Correct.

15 THE COURT: It's awful late.

16 What do you say?

17 MS. TATE: Your Honor, first of all, I agree. This
18 case has been pending for three years. Those depositions
19 took place two years ago. In fact, Your Honor's order
20 earlier this year, I believe it is was in April, stated in
21 big, bold letters that there was no negligent entrustment
22 claim being brought. So for that claim to be brought today
23 at this late date is certainly prejudicial.

24 But even more importantly, as Your Honor knows, the
25 burden and the standard is significantly different between a

1 respondeat superior claim and a negligent entrustment claim.

2 So the idea that there is no prejudice because
3 discovery is complete is, quite frankly, incredible.
4 Because that is why it is prejudicial, because discovery is
5 complete. And we did not conduct discovery specifically on
6 the negligent entrustment claim because there was no
7 negligent entrustment claim.

8 So for those reasons, we would ask that that motion be
9 denied.

10 THE COURT: Your response?

11 MS. BRIGHTHOP: Your Honor, the negligent entrustment
12 claim as to the companion case, I've been told by co-counsel
13 that that has been pled. And due to the similarity of the
14 facts -- and again, just to reiterate my initial argument
15 that it would not change as far as -- we would perceive
16 strategy of the trial would go that it should be granted.

17 THE COURT: It's too late. That's a substantial
18 change. You're trying to add a cause of action that's
19 completely different than the one that was pled. And as
20 noted, I put in bold letters before in my order that it
21 wasn't pleaded. So to wait until the day of trial or eve of
22 trial, it's just too late. I'm sorry.

23 What's your motion?

24 MS. TATE: Your Honor, as far as the motions in limine,
25 you did hear these motions earlier this year, but left us