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SC Court of Appeals

In the Matter of:

JOSEPH W. KEATING

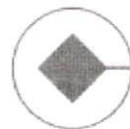
VS.

HARRISON WILDER, JR., ET AL

Macarena Medina Keating

October 1, 2025

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IN THE COURT OF COMMON PLEAS
FOR THE STATE OF SOUTH CAROLINA
CHARLESTON COUNTY

DEPOSITION OF MACARENA MEDINA KEATING

JOSEPH W. KEATING,
Plaintiff,

vs. CASE NO.: 2025-CP-10-1165

HARRISON WILDER, JR., HOPE WILDER BROWN, ESTATE
OF HARRISON WILDER,
Defendants/Counterclaim Plaintiffs and Third
Party Plaintiffs,

vs.

JOSEPH W. KEATING D/B/A KEATING TREE SERVICE, AND JAMES
ISLAND PRESERVATION TRUST, JOSEPH W. KEATING, AS
TRUSTEE,
Third Party Defendants.

DEPONENT: MACARENA MEDINA KEATING

DATE: October 1, 2025

TIME: 2:00 PM

LOCATION: SLOTCHIVER & SLOTCHIVER, LLC
751 Johnnie Dodds Boulevard, Suite 100
Mt. Pleasant, SC 29464

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1 MACARENA MEDINA KEATING, having been first
2 duly sworn, testified as hereinafter set forth.

3 EXAMINATION

4 BY MR. SLOTCHIVER:

5 Q. Ms. Keating, my name is Dan Slotchiver, and I am
6 one of the lawyers in this lawsuit captioned Joseph W.
7 Keating versus Harrison Wilder, Jr., Hope Wilder Brown,
8 Estate of Harrison Wilder, Defendants/Counterclaim
9 Plaintiffs and Third-Party Plaintiffs versus Joseph W.
10 Keating d/b/a Keating Tree Service and James Island
11 Preservation Trust, Joseph W. Keating, as Trustee,
12 Third-Party Defendants, and in that position I'm going
13 to be taking your deposition today.

14 A. Okay.

15 Q. Okay? Before we get started, a little bit of
16 background.

17 Have you ever had your deposition taken
18 before?

19 A. I don't think so.

20 THE WITNESS: Have I?

21 MR. KEATING: Yes.

22 THE WITNESS: For what?

23 MR. KEATING: The bank.

24 THE WITNESS: Oh, yes.

25 Q. (BY MR. SLOTCHIVER): And maybe that's a good

1 segue to tell you the rules here, which is what I'm
2 going to go through.

3 During the deposition I'm able to ask
4 you questions and -- but you are not able to ask for
5 assistance.

6 A. Okay. Well, then, I don't remember. My real
7 answer will be I don't remember.

8 Q. Well, that's okay. So I'm going to ask you
9 questions. It's not a memory test. If you know, you
10 know. If you don't know, you don't know.

11 I'm going to ask that you answer any
12 question that I give you audibly, meaning that if you
13 nod your head or you say uh-huh or huh-huh, the problem
14 is that it doesn't always get transcribed correctly.

15 A. Okay.

16 Q. So the best thing to do is to answer orally.
17 And, if you don't, I will correct you, not to chastise
18 you. I'm just, like you, I want to have a good,
19 accurate record of what takes place.

20 A. Of course.

21 Q. Is that fair enough?

22 If at any point I ask you a question and it
23 doesn't make sense to you, which could happen, this has
24 happened before, would you please tell me I don't
25 understand the question, would you be happy to rephrase

1 it, and I'll be happy to ask it a different way.

2 A. Okay.

3 Q. I don't think this is going to take very long,
4 but if --

5 A. Good.

6 Q. -- for some reason you need a break, bathroom, a
7 smoke, walk, clear your head, for whatever reason, you
8 tell me and I'm happy to give you a break. It's not an
9 endurance test.

10 A. Okay.

11 Q. If you do take a break, then under the rules
12 you're not allowed to talk to anybody about your
13 testimony, okay? Fair enough?

14 A. Yes, yes. Okay.

15 Q. Is there any reason, based on medical treatment,
16 or medicines, or anything else that you could have taken
17 that would impact your ability to give your deposition
18 to the best of your ability today?

19 A. No, no.

20 Q. All right. Well, let's get started then.

21 So, first, I want to hand you a copy of your
22 Subpoena and the Notice of Deposition just to mark for
23 the record.

24 (Defendants' Exhibit No. 1 was marked for
25 identification.)

1 Q. (BY MR. SLOTCHIVER): Are you represented by
2 counsel at this deposition?

3 A. By Elizabeth.

4 Q. Okay.

5 MS. ORDWAY: I represent Mr. Keating.

6 MR. SLOTCHIVER: Okay.

7 THE WITNESS: Well, Joe, will you represent
8 me?

9 MS. ORDWAY: No objection.

10 Q. (BY MR. SLOTCHIVER): All right. So I'm going to
11 hand you a copy of your Deposition Notice and your
12 Subpoena.

13 Have you seen these before?

14 A. No.

15 Q. Okay. Do you understand that you've been
16 subpoenaed to come testify today?

17 A. Yes.

18 MR. SLOTCHIVER: So we have marked these.
19 We will put them together as one exhibit.

20 Q. (BY MR. SLOTCHIVER): Can you tell me a little
21 bit about your background? Where are you from
22 originally?

23 A. I'm from Spain.

24 Q. Okay. And are you a U.S. citizen now?

25 A. Yes, by birth.

1 Q. Okay. And how long have you -- you grew up in
2 Spain until what age?

3 A. About four or five.

4 Q. And then where did you move after that?

5 A. To Puerto Rico.

6 Q. And when did you first come to South Carolina?

7 A. I came here to college.

8 Q. Where did you go to college?

9 A. College of Charleston and The Citadel.

10 Q. Did you graduate from either the College of
11 Charleston or The Citadel?

12 A. With a few degrees, yes.

13 Q. Which school?

14 A. Both of them.

15 Q. All right. Which school did you go to for
16 undergraduate?

17 A. In United States, I went to the College of
18 Charleston.

19 Q. And you graduated with an under --

20 A. Graduate there, yes.

21 Q. When was that? What year was that?

22 A. '83.

23 Q. And how about The Citadel? What degrees do you
24 have?

25 A. From The Citadel, I graduated in maybe '95. I

1 really don't remember. I have to check that out. I
2 think it was '95.

3 Q. Okay. And what degrees do you have from The
4 Citadel?

5 A. I have a master's in guidance and teaching. They
6 are two different masters.

7 Q. What was your degree from the College of
8 Charleston?

9 A. Archeology and anthropology, and I have a
10 master's in literature from there, too.

11 Q. Okay.

12 A. I also have -- I am national board certified
13 teacher, which is like a Ph.D. for teachers, I don't
14 know if you are aware of that, and a litany of
15 certificates of all kinds.

16 Q. But would it be fair to say that after -- and I'm
17 guessing, so you can tell me no. But after getting your
18 graduate degrees -- first, after graduating college, did
19 you go to work?

20 A. No.

21 Q. Okay. You went straight to The Citadel?

22 A. No. I was a mom for five years.

23 Q. Okay, and we'll come to that in just a moment.

24 And then you went to The Citadel after that?

25 A. No. No, that's -- no, no. Then I went to work,

1 and when I was working I did one of my master's.

2 Q. What type of work had you done?

3 A. I was a language teacher.

4 Q. For a private company?

5 A. No, Charleston County School District.

6 Q. Okay. So --

7 A. And I also taught at The Citadel and I also
8 taught at the College of Charleston. I taught at
9 Trident Tech, and I also taught privately.

10 Q. Okay. So you have been teaching most of your
11 career?

12 A. Thirty-seven years.

13 Q. Are you still working now?

14 A. Yes.

15 Q. Where are you working now?

16 A. Charleston County School District.

17 Q. Where?

18 A. International Welcome Center.

19 Q. Where is that?

20 A. It's -- the campus is on Pinehurst Elementary.

21 Q. What is your date of birth?

22 A. 2-3-61.

23 Q. And are you married?

24 A. Happily, yes.

25 Q. And that's your husband, Mr. Keating, that's

1 sitting here with us today?

2 A. That's my husband the last time I checked.

3 Q. How long have you been married for?

4 A. Forty-two years.

5 Q. Do you have children?

6 A. Yes.

7 Q. How many?

8 A. We had three.

9 Q. Do any of them live at home?

10 A. No.

11 Q. Do you have any immediate family who live in
12 Charleston County other than you and your husband?

13 A. Is that in-laws or related by blood?

14 Q. I'm sorry?

15 A. In-laws or by blood?

16 Q. I would say in-laws would count.

17 A. Yes, I do.

18 Q. Okay. And your children, do any of your children
19 live in Charleston County?

20 A. Yes.

21 Q. Which children live in Charleston County?

22 A. Our two daughters --

23 Q. And what are their --

24 A. -- and their families.

25 Q. What are their names? And, just so you know, the

1 reason I'm asking you is if we try this case in front of
2 a jury -- I don't know if we're in front of a jury or
3 not -- but in front of a jury, then I want to make sure
4 that I know which one of the people on the jury list may
5 be related to you or may be connected to you in some
6 capacity. It's the same thing your attorney will want
7 to know when she takes depositions.

8 A. So what do you want me to list, just the adult
9 ones?

10 Q. Well, if they are minor children under 18, I'm
11 not interested in those names right now. But the
12 adults -- why don't we start with your two daughters
13 that live in Charleston County.

14 What are their names and who are their
15 spouses?

16 A. I will say Encarna and -- you need to write them,
17 or you want me to write them?

18 Q. She's got it. She'll get it for me.

19 A. Encarna.

20 Q. How do you spell that?

21 A. E-n-c-a-r-n-a. That's her nickname, though,
22 Keating Robinson.

23 Q. And that's your daughter?

24 A. Uh-huh.

25 Q. She lives in Charleston County?

1 A. Yes.

2 Q. Who is she married to?

3 A. Heith, H-e-i-t-h, Robinson.

4 Q. What does your daughter do for a living?

5 A. They are engineers, all of them.

6 Q. Engineers?

7 A. Uh-huh.

8 Q. Who does she work for?

9 A. Oh, I have no -- she has told me, to tell you the
10 truth, but I don't know.

11 Q. Who does her husband work for?

12 A. Boeing and Reserve.

13 Q. Boeing and who else?

14 A. He is a -- he is a --

15 Q. Did you say Reserve?

16 A. Yes.

17 Q. Like National Guard?

18 A. Yes. He's a lieutenant colonel. I went blank
19 there.

20 Q. And what part of town do they live in?

21 A. West Ashley.

22 Q. And what about your other daughter?

23 A. Belen, B-e-l-e-n, Keating Vitello.

24 Q. How do you spell the last name?

25 A. V-i-t-e-l-l-o.

1 Q. Who is her husband?

2 A. Gregory Vitello.

3 Q. What do they do for a living?

4 A. They are engineers.

5 Q. Where do they work?

6 A. I don't remember the company he works for, and
7 she works for the gov.

8 Q. For who?

9 A. The Char -- the Tri-County, the g-o-v.

10 Q. And do any of them have children that are in high
11 school or college?

12 A. In high school.

13 Q. And what high schools do the kids go to?

14 A. Bishop England.

15 Q. And what are the kids' names that go to Bishop
16 England?

17 A. Nathaniel Robinson; Isabela, with one "l",
18 Robinson; the Spanish one or the Italian, and Keating
19 Robinson.

20 Q. Okay. Other than your children and their
21 spouses, what other relatives do you have, you or your
22 husband, who live in Charleston County?

23 A. Okay. I have sisters-in-laws.

24 Q. So your husband's sisters?

25 A. Uh-huh.

1 Q. And what are their names?

2 A. Donna Marie Keating, Anne K. Ellington, Tina K.
3 Moore. That's it, yeah, because Monica moved. Yes,
4 that's it.

5 Q. Any of them married?

6 A. Anne and Tina.

7 Q. And who are their husbands?

8 A. Langdon Ellington and James Moore.

9 Q. Do you know what any of these sister-in-laws or
10 their husbands do for a living, who they work for?

11 A. I know that Anne and Langdon are retired. But
12 Tina and James, I don't know where they work.

13 Q. Are you close with any of them?

14 A. Donna Marie.

15 Q. How about the others?

16 A. No.

17 Q. Okay. Have you -- a couple of personal
18 questions, not meant to antagonize, just standard
19 questions we always ask.

20 Have you ever been in any litigation in your
21 lifetime?

22 A. What is litigation again?

23 Q. Where you've been sued, or you've sued somebody,
24 or a family member has been sued or sued somebody.

25 A. I'm not sure.

1 Q. You don't know if you've ever been sued before?

2 A. Me, personally, I'm not sure. I don't think so,
3 but I don't know. My husband will answer that one.

4 Q. Well, I'm asking about you. I can ask your
5 husband, but --

6 A. My name is in there, but that's it. I don't know
7 anything. If you want any answers, you have to ask him.

8 Q. Well, I appreciate that, but my question to you
9 is --

10 A. Then my answer is I don't know.

11 Q. So when I ask -- just to be clear. When I say to
12 you have you ever been sued before, your answer is I
13 don't know?

14 A. That's right.

15 Q. Okay. And if I ask you have you ever sued
16 anybody before, your answer is I don't know?

17 A. I don't know.

18 Q. Just to be clear, you have a Court order --

19 A. Yes.

20 Q. -- requiring you to be here. You are required to
21 give testimony in this proceeding.

22 A. Yes.

23 Q. And if your blanket answer is going to be I don't
24 know, then I will assure you we will have an issue to
25 take up with the judge.

1 A. Okay, let's do it, because I don't know.

2 Q. Okay.

3 A. I mean, can I ask him? He will know. Then I
4 don't know.

5 Q. I'm not asking about him. I'm asking you.

6 A. Okay. I don't know.

7 Q. Is this going to be your answer about every
8 question I ask you, "I don't know"?

9 A. I don't know. How would I know that?

10 Q. Well, you don't know if you have ever been sued
11 by anybody?

12 A. No, I don't know.

13 Q. Okay. Have you ever gone to court before?

14 A. I have been as, you know, one of the twelve.

15 Q. You have been a juror?

16 A. Juror, yes.

17 Q. Have you ever been to court before in a scenario
18 where somebody was claiming you did something wrong?

19 A. That I did something wrong?

20 Q. Or that you owed somebody something?

21 A. I don't remember it. Like what?

22 Q. I don't know.

23 A. Okay. Then I don't know.

24 Q. Because I don't know what you -- you could have
25 been sued for a car wreck.

1 A. No.

2 Q. You could have been sued on a business deal. You
3 could have been sued on a banking deal. You could have
4 been sued on a variety of things.

5 A. Oh, wait a minute. Maybe banking, maybe the
6 house. Oh, my gosh, what time is it?

7 MS. ORDWAY: Does she understand the word
8 sued?

9 MR. SLOTHIVER: I don't know.

10 THE WITNESS: This is just really, really
11 something that -- believe it or not, I am a very smart
12 person, but you are asking me things that I have no idea
13 about, and that I'm not interested in about either, so
14 my husband doesn't waste any time talking to me about
15 it. You know, I just -- literally, I find a lot of
16 things, but I don't know what they are.

17 Q. (BY MR. SLOTHIVER): All right. So let me --

18 A. Then you are asking me do you -- I don't know.
19 Like I have never seen this before until today. You
20 know what I mean? Like this is -- my name is one thing,
21 but me is another.

22 Q. I'm going to ask you -- I'm going to explain to
23 you what being sued means, okay?

24 And, if you remember, at the very beginning
25 of the deposition I said to you that if you don't

1 understand my question would you please --

2 A. I think I know what sued is. But, I mean, you're
3 welcome to explain it to me.

4 Q. What do you understand sued to mean?

5 A. Is that they think that I did something wrong and
6 they are going to sue me for it. I don't know. It
7 could be like a car accident or something. I just --

8 Q. But for the life of you, you don't know if you
9 have or have not been sued before?

10 A. No. Something happened about our house, but I
11 don't remember if that was suing or not. So I'm not --
12 literally, this is what I know. I am sorry that I don't
13 know everything you want me to know, but I know a lot
14 about other things I can tell you.

15 Q. Well, I'm just getting started.

16 A. Okay. Because I'm not interested in any of this,
17 so I never find out anything.

18 Q. With all due respect, it's not about what you are
19 interested in. You have been subpoenaed here as a
20 witness and --

21 A. Yes, and I'm going to tell you what I know about
22 it.

23 Q. And that's what I'm asking you to do, is tell me
24 what you know.

25 A. Yes.

1 Q. But the fact that you're not interested in
2 telling me or don't want to tell me, that's not --

3 A. No, that's not what I said. I'm sorry. That's
4 not what I said. Anything legally, I don't care about.

5 Q. Whether you care about it or not, I have the
6 right to ask you.

7 A. Yes, and I'm not telling you not to, right?

8 Q. Well, you are telling me you're not interested
9 and you don't know and --

10 A. Yes. I mean, I'm going to give you my answers.
11 It looks like you don't like my answers and you have a
12 little problem with that.

13 Q. I don't have any problems.

14 A. Oh, okay. Well, let's go through the questions.

15 Q. I'm just --

16 A. How long is this going to take? My God.

17 MS. ORDWAY: Do you need a break?

18 THE WITNESS: No. I have an appointment
19 that I don't want to miss for this.

20 Q. (BY MR. SLOCHIVER): Well, the quicker I can get
21 answers to the questions, the quicker it will be.

22 A. Yes. Let's do it.

23 Q. And, just for the record, it's not that I don't
24 like your answers. I'm just trying to get answers. I
25 have a job to do, also.

1 A. Good.

2 Q. Okay.

3 A. Let's do it.

4 Q. And I'm going to ask you questions and I'm going
5 to try to get responses. And if you know, you know. If
6 you don't know, you don't know.

7 A. Okay. Well, let's do it.

8 Q. Have you ever been arrested before?

9 A. No.

10 Q. Okay.

11 A. And I like your girly pen.

12 Q. I'm sorry?

13 A. I love your girly pen.

14 Q. Oh, thank you.

15 A. And you went for it. I love it.

16 Q. No, thank you very much.

17 All right. Where do you live?

18 A. I live in Charleston, South Carolina.

19 Q. Where?

20 A. Do you want the address?

21 Q. Yes.

22 A. 1355 River Road.

23 Q. How long have you lived there?

24 A. Twenty years.

25 Q. Who lives with you?

1 A. My husband.

2 Q. Is there a home on that property?

3 A. Is there what?

4 Q. Is there a home on that property, a structure, a
5 house?

6 A. Yes, our house.

7 Q. And is it a significant piece -- it's a big piece
8 of property, correct?

9 A. Yeah, relatively, yes.

10 Q. How many acres is it?

11 A. Legally, it's ten acres.

12 Q. When it was purchased, whose name was it placed
13 into?

14 A. I want to say it was me.

15 Q. Is it your belief that it was never in your
16 husband's name?

17 A. Yeah, I think so.

18 Q. And who pays the bills for that property?

19 A. My husband.

20 Q. Who pays the taxes on the property?

21 A. My husband.

22 Q. So is it fair to say that the title of it is in
23 your name, but it's a joint piece of property owned
24 between you and your husband?

25 A. Not really. Legally, it's just my name on it.

1 Q. So your husband has nothing to do with that
2 property?

3 A. He lives with me, so he pays some bills, but the
4 house is mine.

5 Q. Do you have any type of agreement that was
6 entered into when you got married such as a prenuptial
7 agreement that said that it's your property, he has no
8 ownership in it?

9 A. We didn't need that.

10 Q. Whether you needed it or not, that wasn't my
11 question. Do you have one?

12 A. No.

13 Q. Is there any business that has ever been run out
14 of that property?

15 A. We had Dock -- Carolina Dock and Marina.

16 Q. Okay. Was that run out of the property?

17 A. Yes. We rented an office for -- they rented an
18 office from us.

19 Q. So that is somebody else's business that rented
20 an office?

21 A. Yes.

22 Q. In your home?

23 A. Yes.

24 Q. Okay. Any other businesses that have been run
25 out of that property?

1 A. I'm not sure if my husband run the business out
2 of our house or not, to tell you the truth. Stuff will
3 be there, but I don't know if that was from there or
4 not.

5 Q. What does your husband do for a living?

6 A. He's retired.

7 Q. Retired from what?

8 A. He has his own business.

9 Q. What type of business?

10 A. Tree service.

11 Q. What else did he do besides tree service?

12 A. Drive the grandchildren around for practices and
13 stuff.

14 Q. What is a tree service business? What do you
15 understand that to be?

16 A. He will cut trees down, trim them.

17 Q. How long did he have a tree business for?

18 A. About 40 years.

19 Q. And other than the tree business where he would
20 cut trees down, did he have any other business?

21 A. Not that I remember.

22 Q. Did you help him with the tree business?

23 A. No.

24 Q. Did you do the books?

25 A. No.

1 Q. Did the tree business pay the bills for the home?

2 A. I don't know; maybe.

3 Q. Well, he paid the bills for the home, right?

4 A. Yes.

5 Q. Okay. And he had to get income from somewhere,
6 unless he has separate monies.

7 Does he have separate monies, or is that his
8 income?

9 A. I think that was his income.

10 Q. Okay. So when I asked you if the tree business
11 generated the monies to pay the bills, I guess the
12 answer would be yes?

13 A. Okay, yes, yes. I thought like you said the tree
14 business -- the checks come from the tree business. The
15 checks came from Joe.

16 Q. Did the tree business own any equipment?

17 A. Yes.

18 Q. Okay. What equipment did the tree business own?

19 A. A lot of yellow machines, and chainsaws and
20 garden things. They are all gone now, but they used to
21 be there.

22 Q. Can you tell me what, if anything, a boat would
23 have to do with the tree business?

24 A. A boat?

25 Q. A boat.

1 A. I'll tell you this, we love to go boating.

2 Q. That wasn't my question, though.

3 A. So I don't know. Yeah.

4 Q. Does a boat have anything to do with his tree
5 business?

6 A. Yes.

7 Q. What would the boat have to do with his tree
8 business?

9 A. Well, if you need -- if you have the tree from
10 the water right there by there, it helps you, with the
11 tractor there, to do all kinds of stuff. I don't know
12 if you have seen people work the tree stuff.

13 Q. I'm trying to understand. How does a boat have
14 anything to do with a tree business?

15 A. To help move trees that are by the water.

16 Q. How would a boat help to move trees that are by
17 the water?

18 A. It will hold the person to cut the limbs.

19 Q. Okay. So did your husband --

20 A. Also, helicopters help, too. I don't know if you
21 have seen that.

22 Q. Did your husband have helicopters, also?

23 A. No, but I have seen trees moved by helicopters.

24 Q. Well, I'm asking you did your husband use a
25 helicopter to --

1 A. And I said no. I answered that.

2 Q. Let me finish the question.

3 Did he use a helicopter in coordination with
4 his handling a tree company?

5 A. No.

6 Q. All right. Did he use a -- I understand a boat
7 could be used. Did he use a boat in connection --

8 A. I think he did, yeah.

9 Q. What type of boat?

10 A. Oh, I don't know.

11 Q. Did you ever see it?

12 A. Yeah.

13 Q. Was it a big boat or a small boat.

14 A. I don't know what is a big boat or a small boat.

15 Q. Was it a barge or a little personal water --

16 A. Oh, a barge? Yes, we had a barge.

17 Q. Okay. And the barge would be 50 feet long?

18 A. Oh, I don't know.

19 Q. A hundred feet?

20 A. I don't know, to tell you the truth. I never
21 measured it. I don't know.

22 Q. Well, you said you had a barge. What would your
23 estimate be about how big it would be? Would it be 10
24 feet, 20 feet, 50 feet?

25 A. I don't remember, to tell you -- I never measured

1 it, so I don't know.

2 Q. Well, I understand you don't know, but there's a
3 big difference between 10 feet and 50 feet. Can you not
4 tell me which one?

5 A. No.

6 Q. You can't guesstimate it?

7 A. No.

8 Q. Okay. What other equipment would he have? Would
9 he have --

10 A. Oh, my God.

11 Q. Would he have amusement park car rides as part of
12 his tree business?

13 A. I don't know. I never saw one. That doesn't
14 mean he didn't have one.

15 Q. You saw so many what?

16 A. I haven't seen one of those, to tell you the
17 truth. I don't know.

18 Q. Where would he maintain the equipment for his
19 tree business?

20 A. In the farthest part of the land. I've never
21 been there, to tell you the truth, so I have no idea
22 what is there.

23 Q. And to be clear, when you say the further part of
24 the land, you're talking about the land that your home
25 is on, correct?

1 A. My property, yes.

2 Q. Did he pay rent to use that back part of the
3 property?

4 A. No.

5 Q. Okay. And do you know of any reason why the
6 amusement park car ride would be used in connection with
7 his business?

8 A. I don't know why, but I haven't seen one of
9 those.

10 Q. What about a container, large shipping
11 containers?

12 A. Yes.

13 Q. What were they used for in connection --

14 A. To store my stuff, actually.

15 Q. To store your stuff?

16 A. Yes.

17 Q. All right. So your personal stuff?

18 A. Well, he said I will sell -- you know, I will buy
19 antiques and collectibles and sell later.

20 Q. So instead of you using a storage facility, you
21 would have a storage container or containers on your
22 property that you would use to store things?

23 A. Yes, like most people do, yes.

24 Q. Do you believe that most people have storage
25 containers on their property?

1 A. Yeah. They have little sheds and things.

2 Q. I'm talking about large steel storage containers.

3 A. Yeah, well, not -- yes.

4 Q. That's what you guys had, correct?

5 A. Yes.

6 Q. Okay. Not a little shed?

7 A. We also have sheds, yeah. I don't think they are
8 still there, to tell you the truth, because I haven't
9 been back there.

10 Q. What about piers? Why would he have boat piers
11 to assist him with his tree company; do you know?

12 A. Do I look like I would know things like that?
13 No, I don't know.

14 Q. I don't know what you know and I don't judge
15 people by how they look.

16 A. Yeah, I don't know.

17 Q. All right. Are you aware that he had concrete?

18 A. Why are we talking about my property in Johns
19 Island? What is the reason for this question?

20 Q. All right. This is my opportunity to ask you a
21 question, not your opportunity to ask me a question. So
22 I respectfully -- you asked me, but I'm going to ask you
23 my questions.

24 A. Okay. Go ahead.

25 Q. Do you know why on your property you would

1 have --

2 A. No.

3 Q. You've answered it before I asked you the
4 question.

5 A. Okay. Finish.

6 Q. Okay. Do you know why on your property he would
7 have concrete rubble?

8 A. No.

9 Q. Have you seen the concrete rubble on your
10 property?

11 A. Nope.

12 Q. Do you know why on your property he would have
13 asphalt?

14 A. No.

15 Q. Have you seen any asphalt on your property?

16 A. Nope.

17 Q. Do you know why on your property he would have
18 demolition debris?

19 A. Nope.

20 Q. Have you seen it on your property?

21 A. Nope.

22 Q. Have you seen construction debris?

23 A. When we were building the house?

24 Q. After you built the house.

25 A. When we remodeled the house.

1 Q. Okay. Did you use the property to dump the
2 construction debris on in the back corner?

3 A. Well, we are always remodeling my house, yes.

4 Q. And when you would remodel it, would you
5 routinely just use the back of the property to leave
6 things?

7 A. Maybe.

8 Q. Okay. Is it fair to say that right now, at your
9 home, that the construction debris, demolition debris,
10 asphalt, concrete rubble, piers, steel drums, shipping
11 containers, boats and amusement park car rides are no
12 longer on the property?

13 A. So who has been in my property? Who has been in
14 my property that took pictures or a list of things that
15 is there? I thought my property was private.

16 Where was the permission for you to know
17 that those things have been in my property?

18 Q. Okay. I appreciate your comment, but --

19 A. I will not answer anything until you show me.

20 Q. This is your deposition today.

21 A. Yes. It is my property.

22 Q. If you refuse to answer --

23 A. And you are talking about things that have been
24 in my property. How do you know this?

25 Q. So you're concerned about how I know that this

1 list of things has been on your property?

2 A. Yes.

3 Q. Okay.

4 A. These, I don't even know they've been there.

5 Q. Well, which one is it? Is it they are there or
6 you don't know if they are there?

7 A. I don't know. My answer is I don't know. But
8 why are you putting these things in my property? Who
9 has been in my property without permission?

10 Q. So, once again --

11 A. Who has been in my property without permission?

12 Q. -- this is a --

13 MS. ORDWAY: Just answer the question.

14 Q. (BY MR. SLOTCHIVER): It's a legal proceeding
15 where I get to ask you --

16 A. Oh, so people can come into your property, into
17 your place and just say why do you have two trash cans
18 instead of three?

19 MS. ORDWAY: Do you want to take a break?

20 THE WITNESS: I don't know. I -- I want
21 this to finish. I do have an appointment I cannot
22 change. And I'm leaving for that appointment, so we
23 need to move on.

24 Q. (BY MR. SLOTCHIVER): So, again, this is my
25 opportunity to take your deposition, to ask you

1 questions.

2 A. Okay. Go ahead.

3 MR. SLOTCHIVER: All right. Could you read
4 back the last question?

5 (Mr. Slotchiver and Mr. Halversen left
6 the room.)

7 THE WITNESS: What does this have to do with
8 your land in Johns -- in James Island?

9 MS. ORDWAY: Don't answer it. No, don't
10 answer anything or --

11 THE WITNESS: This is ridiculous.

12 MS. ORDWAY: No.

13 THE WITNESS: So my name is in none of this
14 stuff. I don't know why they're here. I don't know why
15 they care about my property. I have nothing to do with
16 James Island.

17 I feel like invaded, almost like
18 violated that people have been in my house and I didn't
19 even know about it. Please put that there, too.

20 (Mr. Slotchiver re-entered the room.)

21 MR. SLOTCHIVER: Let me get a copy of the
22 document real quick.

23 (Mr. Slotchiver left the room.)

24 THE WITNESS: Joe, can you get me a bottle
25 of water?

1 MS. ORDWAY: I brought water. I'm happy to
2 get water.

3 THE WITNESS: Is it cold?

4 MS. ORDWAY: I am happy to give you water.

5 THE WITNESS: Thank you.

6 (Mr. Slotchiver and Mr. Halversen
7 re-entered the room.)

8 MR. SLOTCHIVER: Back on.

9 Q. (BY MR. SLOTCHIVER): Are you aware of zoning
10 infractions and fines that were levied against your
11 property because of debris and things left on the
12 property that should not have been there?

13 A. No.

14 Q. Okay. I'll show you some pictures and ask you if
15 you've ever seen these before. And I will represent to
16 you these are photographs taken on your property that we
17 obtained through the zoning department in response to
18 the Freedom of Information Act requests.

19 A. I have never seen this.

20 Q. Okay.

21 A. Are they all the same? No, I have -- I never go
22 to that area. I have never seen that.

23 Q. What area is that?

24 A. The farthest from the house.

25 Q. How do you know it's the furthest from the house

1 if you have never seen that area?

2 A. Because you kind of drive by to go there.

3 Q. So you can recognize this area by the photographs
4 that I've shown you?

5 A. No.

6 Q. Well, my question to you, ma'am, is you just
7 testified that you have never been to this area before.
8 I asked you which --

9 A. No.

10 Q. Let me finish. I asked you which area, and you
11 said the back corner. And I said, well, how do you know
12 this is the back corner if you've never been there, and
13 you said because you can drive by there. I said, so you
14 have seen it, and you said, no.

15 A. No, that's right. It has a wall.

16 Q. So how do you know --

17 A. You cannot see it. If you drive by it, you
18 cannot see it.

19 Q. If you've never been to this area to see what's
20 back there, then how do you know what this area is?

21 A. I don't know how to explain my logic to you.

22 Q. Are you speculating as to where this was, or are
23 you comfortable testifying that this was that back
24 corner?

25 A. I'm speculating.

1 Q. Okay. So you don't know exactly which part of
2 your property this was on?

3 A. I know it wasn't in the open field. It was
4 behind walls.

5 Q. All right. So when I referenced to you this
6 laundry list of things that were on your property such
7 as construction debris, demolition debris, asphalt,
8 concrete rubble, piers, steel drums, shipping container,
9 boats, amusement park car rides, trailers, your
10 testimony was that it wasn't there.

11 Do you now acknowledge --

12 A. No. I have no idea if they were there or not.

13 Q. Okay. So whether they were there or not there,
14 you don't know?

15 A. That's right.

16 MR. SLOTCHIVER: Let's mark these as an
17 exhibit.

18 (Defendants' Exhibit No. 2 was marked for
19 identification.)

20 THE WITNESS: Why -- can you answer why I'm
21 here?

22 MR. SLOTCHIVER: No, ma'am. I'm not going
23 to answer your questions. We talked about that. This
24 is my --

25 THE WITNESS: Okay. I was wondering if I

1 knew why I was here.

2 Q. (BY MR. SLOTCHIVER): Are you aware of the fact
3 that when the investigations were done on the property
4 that it was listed that the name of the owner or the
5 person responsible was either you or your husband?

6 A. So what is the question again?

7 Q. Are you aware that --

8 A. No.

9 Q. -- when the investigation was done --

10 A. No.

11 Q. -- it was listed -- you're not aware of that?

12 A. No.

13 Q. I haven't finished the question.

14 A. Yes, you did. This is the second time you're
15 saying it.

16 Q. What was the question?

17 A. If I was aware that me or my husband was on
18 the -- the word that you used, the other word that you
19 used.

20 "Aware" was the word I didn't understand
21 when you first said it. So once you said it a second
22 time, then I remember the other stuff.

23 Q. Okay. Let me show you a copy of an exhibit. Do
24 you see your name on this document?

25 A. A what?

1 Q. Do you see your name on this document?

2 A. Yes.

3 Q. Have you ever been advised or been aware of the
4 fact there was an investigation on your property?

5 A. No.

6 Q. Are you aware of the fact there were findings
7 that on the property there were things that don't belong
8 there?

9 A. No.

10 Q. Let me ask you this. Earlier you told me that
11 you had never seen the pictures before that I had shown
12 you under Exhibit 2, but you also testified that you did
13 have shipping containers.

14 A. I did have one, yes.

15 Q. Is the shipping container the same one that's
16 contained in this document?

17 A. I don't remember. I want to -- I don't remember,
18 to tell you the truth. There is only one in there,
19 right?

20 Q. Well, I don't know your definition of --

21 A. I see this dark color. I cannot tell by that
22 picture if that's it or not.

23 Q. Does that appear to be that it may be that this
24 is similar in nature to the shipping container?

25 A. I cannot say by that picture.

1 Q. Where was the shipping container -- where was it
2 kept?

3 A. Somewhere in the property.

4 Q. How did you put things into the shipping
5 container?

6 A. I didn't, my husband did.

7 Q. Okay. Where did it go?

8 A. In the container.

9 Q. Where is the container now? Is it on the
10 property?

11 A. I think we sold them. I'm not sure. I'm not
12 sure because, like I tell you, I don't go there.

13 Q. Do you know if it's still there?

14 A. No, I don't know.

15 Q. So it might still be there?

16 A. It could.

17 Q. What about all the stuff that you were keeping in
18 the shipping container? You testified --

19 A. I sold them all.

20 Q. You sold them all. "Them all" refers to what?

21 A. Antiques and collectibles.

22 Q. So you sold everything?

23 A. Furniture, you know, things like that.

24 Q. When is the last time that you went to the
25 shipping container?

1 A. I don't know. I don't even think I've been there
2 once.

3 Q. Okay. So you're telling me that you had a
4 shipping container on the property to store your stuff,
5 that all of -- you have never been to the shipping
6 container; yet, all of the stuff stored in the shipping
7 container has been sold?

8 A. Yes.

9 Q. How did you sell it if you've never been there?

10 A. Really? There is such a thing as a trailer. And
11 I would say, Joe, bring me the sofas, they are coming to
12 pick them up, and they will be coming right in front of
13 the house.

14 And the person will come, and usually they
15 come with a trailer or a truck and they'll put it in
16 their truck or container and then go. That's how it is.

17 Q. So, as we sit here today, your understanding is
18 that somewhere in the back of the property is where the
19 container was, and you don't know if it's still there
20 today?

21 A. Yes.

22 Q. And you believe that -- your speculation is that
23 the container I'm showing you in Exhibit 2, or the area
24 in Exhibit 2, is the same back area of the property
25 where --

1 A. It looks like it. I'm not a hundred percent
2 sure.

3 Q. -- where your container would have been?

4 A. In that area, yes; that I'm not sure if that
5 picture is it.

6 Q. All right. And you're not aware of the fact,
7 until today, that there were citations on your
8 property --

9 A. Yes.

10 Q. -- for violating the rules of law as far as what
11 you had on the property?

12 A. Yes.

13 Q. Today is the first time you've learned about it?

14 A. Yes.

15 Q. What do you understand this lawsuit is about?

16 A. I don't know. I don't know. To tell you the
17 truth, I don't know. And I'm asking you, and you don't
18 want to answer, so I don't know.

19 Q. So you're --

20 A. This is what I know. Joe said, I need you to be
21 at 1:00 at this address. And then I came at 1:00, you
22 know, five til one here. That's it. They are going to
23 ask you questions. Just tell the truth. Okay?

24 Q. Until you came in here today -- even as we sit
25 here today, you have no idea what this lawsuit is about?

1 A. No. I didn't even know it was something with my
2 house. This is the first time I hear there's something
3 wrong with my house or my property.

4 Q. What did you understand the lawsuit to be about
5 other than your house?

6 A. I don't know. I don't know.

7 Q. Okay. Do you and your husband historically share
8 finances?

9 A. No.

10 Q. You have separate bank accounts?

11 A. Yes.

12 Q. Do you have any joint bank accounts?

13 A. No.

14 Q. Do you have a brokerage account?

15 A. Say that again.

16 Q. A broker, a stockbroker or investment banker?

17 A. Do I have a banker?

18 Q. Do you have any investments, stocks, or
19 securities or monies that you keep in a bank?

20 A. In a bank, no.

21 Q. Do you have a bank account?

22 A. Yes.

23 Q. Okay. If you have a bank account, then what type
24 of -- what bank do you use?

25 A. Wells Fargo.

1 Q. And whose name is on that account?

2 A. Macarena Medina Keating.

3 Q. And is that the account where your paychecks go
4 into?

5 A. Yeah.

6 Q. And is it a savings account, checking account?
7 What type of account is it?

8 A. They have a name for it. What is the -- I think
9 it's a checking account. I could write checks if I
10 wanted to.

11 Q. Do you have a retirement account?

12 A. No.

13 Q. When you work as a teacher, they don't set up any
14 type of retirement for you?

15 A. No. I will have a retire when I retire.

16 Q. So the only -- would it be fair to say that the
17 only funds that are in your name would be the funds in
18 the Wells Fargo account?

19 A. Yes.

20 Q. And is it only one account?

21 A. No. I have a savings account, too.

22 Q. And what type of monies -- what is your balance
23 in your Wells Fargo checking account, approximately?

24 A. I have no idea.

25 Q. Could it be \$500,000?

1 A. No.

2 Q. More?

3 A. No, no. It will be -- \$500,000?

4 Q. Yes.

5 A. No. Maybe 10,000. Maybe 5,000. I have no idea.

6 Q. And what about in your savings account?

7 A. Oh, I thought that's what you mean, the whole
8 bank.

9 Q. Oh, the whole thing is maybe \$5,000?

10 A. Yes.

11 Q. What do you make per year?

12 A. I'm not sure, to tell you the truth. I think
13 this last year it could be -- I think it's a hundred and
14 seven.

15 Q. If Joe, your husband, pays all the expenses on
16 the home, where does the money go if you're making
17 \$107,000 a year?

18 A. Well, maybe 45 percent I never see.

19 Q. Okay. So that brings us down to around 60.

20 A. Yes.

21 Q. And from the 60, you've got five or so in your
22 bank accounts. Where does the other money go if Joe
23 pays the expenses?

24 A. I have a car. We travel a lot, like a lot, and
25 that's pretty much it, and food, restaurants.

1 Q. Who pays for the travel?

2 A. Me.

3 Q. Who pays for the food and restaurants?

4 A. Me.

5 Q. Okay. Did you -- you seem like a very educated
6 person. You have gone to some fine learning
7 institutions.

8 Did you help your husband with the books of
9 the business?

10 A. No, never.

11 Q. Do you understand that this business is not
12 incorporated?

13 A. Which business?

14 Q. His tree business was not incorporated?

15 A. I don't even know what --

16 Q. You don't know what?

17 A. That it was incorporated or not incorporated. I
18 don't know either way.

19 Q. Have you ever heard of this property, any
20 property on Sol Legare Road? Are you familiar with Sol
21 Legare Road?

22 A. Where is that?

23 Q. It's just -- it's in James Island, before you get
24 to Folly Beach.

25 A. Oh, yes, yeah.

1 Q. What do you know about that?

2 A. I think that Joe bought land there like, what, 20
3 years ago? I don't know, a long time ago.

4 Q. Okay. And is it a big tract of land?

5 A. What is big for you?

6 Q. Is it more than five acres, more than ten acres?

7 A. It could be. I don't know. I'm not sure, but it
8 could be.

9 Q. Have you ever been there?

10 A. I've been there like once when he first bought
11 it.

12 Q. Okay. And was it in his name or your name or
13 both names?

14 A. I don't remember what name he used on that
15 property, to tell you the truth. I don't know if it was
16 my name or his name, to tell you the truth. I don't
17 know.

18 Q. Would it be fair to say that you were not the one
19 paying taxes on that property?

20 A. No. I have -- no. I never pay taxes on
21 anything. My car.

22 Q. Is it sounds like you and him have a partnership
23 where certain things he pays for and certain things you
24 pay for?

25 A. Yes.

1 Q. Certain things are in your name and certain
2 things are in his name?

3 A. It could be. I don't know what is in his name,
4 to tell you the truth.

5 Q. Right. But you still share everything because
6 you live together as husband and wife?

7 A. Yes.

8 Q. Has your husband told you that he is claiming
9 that he owns property on Sol Legare Road based on
10 something called adverse possession?

11 A. I don't even know what adverse possession is, so
12 I don't know.

13 Q. Have you ever heard that term from him before?

14 A. Telling me, no. Maybe telling -- talking to
15 somebody. I really -- I'm not even sure what that is,
16 to tell you the truth.

17 Q. But have you ever heard that term from him?

18 A. I don't know. Maybe I have. I don't know.

19 Q. Is it important to you to know what he owns and
20 for him to know what you own because you're living
21 together as husband and wife?

22 A. No, no matter.

23 Q. Do you know whether or not Keating Tree Service
24 used the family residence as the location for the
25 business license?

1 A. I don't know.

2 Q. Would you agree with me that there was no rent
3 paid by Keating Tree Service to you as --

4 A. To me, no.

5 Q. Are you aware of any rent paid by the tree
6 service to anybody?

7 A. I'm not aware of that.

8 Q. So would it surprise you to learn whether or not
9 he -- would you expect that he would not have used your
10 residence as the business address?

11 A. Say that again.

12 Q. Would it surprise you to learn that he was using
13 the residence on River Road as the business address for
14 his business?

15 A. Would it surprise me?

16 MS. ORDWAY: Objection.

17 A. Yeah, I don't know. I don't know what to answer
18 to that.

19 Q. (BY MR. SLOTCHIVER): I mean, you and him are
20 married, correct?

21 A. Yes.

22 Q. Forty years?

23 A. Yes.

24 Q. Happily married?

25 A. Yes. Today, yeah. After today --

1 Q. Coexisting, taking care of each other, correct?

2 A. Yes.

3 Q. Do you know -- if I was to ask you what assets
4 you own other than your car, what assets are in your
5 name other than your car, your bank accounts and the
6 property, are you aware of any?

7 A. No.

8 Q. The trailer that you used to store furniture and
9 stuff, was that in your name?

10 A. I don't know.

11 Q. Would you agree with me that if you're required
12 to move property owned by you off of your property, it
13 would benefit you to have a place to put it?

14 A. Yes.

15 Q. Are you aware that the property, the debris, the
16 concrete, the storage units, all the stuff we talked
17 about before, was actually moved to that property on Sol
18 Legare Road?

19 A. No, I didn't know that.

20 MR. SLOTCHIVER: Okay. Give me just a
21 moment, okay? We might be about done.

22 (A recess was taken.)

23 Q. (BY MR. SLOTCHIVER): I'm about done. Let me
24 show you a copy of a document and ask you -- I will tell
25 you, this is a copy of the Answer and Counterclaim filed

1 against your husband and the business. And if you look
2 at it and you get to page -- you get to page --

3 A. I have to read all of that?

4 Q. No, you don't have to do anything. I'm just
5 asking if you will skim through it to see if you have
6 seen this before.

7 A. No. I tell you no. Just to see this, it turns
8 me off in so many ways; but, no. What is this? Let me
9 see. Who is Harrison Wilder, Hope Wilder? Oh, is this
10 one more person than one?

11 Q. Yeah. I will tell you, this is the property
12 owners on the Sol Legare Road property.

13 A. Oh, then I have never seen this.

14 Q. So as far as the actions that were taken by the
15 Department of Environmental Services, or by the
16 investigative teams, or by your husband in moving
17 property to the Sol Legare Road, your testimony is
18 you're not aware of that?

19 A. Yes, I'm not aware.

20 Q. You don't dispute it, you just don't know about
21 it?

22 A. Yeah, I don't know about it.

23 Q. Is there anything else you know -- it sounds like
24 there's nothing else you know about the lawsuit because
25 you're not familiar with the lawsuit.

1 A. No, not at all.

2 Q. You haven't read it before you came in here?

3 A. No. I haven't seen anything.

4 Q. When were you first told you were going to be
5 giving your testimony today?

6 A. Monday night.

7 Q. Okay. And that was the only discussion you've
8 had with your husband about giving testimony?

9 A. Yes, because he needed me to be here, and I have
10 to take time off my work to be here.

11 Q. But you never asked him what it was about?

12 A. He said that the lawyers want to talk to you, and
13 I said, about what, and he said, about the property in
14 James Island. And I said, I don't know anything about
15 it. He said, that's what you have to tell them.

16 And then I'm surprised because he didn't
17 tell me they were going to talk about my property at
18 all. What I knew was that you were going to talk about
19 the James Island property, which I didn't even know was
20 Legare Street, Legare, Legare. I forgot.

21 Q. So when he said we are going to talk about the
22 James Island property, your testimony is you weren't
23 familiar with it, but you did know that he had told you
24 that he had bought property on Sol Legare Road?

25 A. About 20 years ago when he did it.

1 Q. And you went out there to see it?

2 A. Yes.

3 Q. Did you go to the closing with the lawyer?

4 A. No.

5 Q. Do you remember?

6 A. I know I didn't go.

7 Q. Do you know what the mortgage payment was for
8 that property?

9 A. No.

10 Q. Do you know how he made payment for the property?

11 A. No.

12 Q. You and he never discussed that?

13 A. No.

14 Q. Did you never go to the property to go walk it or
15 to go see --

16 A. One time when he -- maybe it was a month after he
17 bought it. I don't even remember.

18 Q. Do you remember a dock on that property over deep
19 water? Was there a dock on the property?

20 A. No, I didn't see a dock.

21 Q. And did you notice anything on the property that
22 looked like junk or debris that was left on the
23 property?

24 A. No. It was all wilderness and a lot of bugs, so
25 you know I never went there again.

1 MR. SLOTCHIVER: Okay. I've got no further
2 questions.

3 THE WITNESS: Oh, good.

4 EXAMINATION

5 BY MS. ORDWAY:

6 Q. I just have one question for you. Do you own the
7 house on Johns Island?

8 A. Well, I mean, we have a mortgage on it.

9 Q. Right. Is it in your name?

10 A. Yes.

11 MS. ORDWAY: That's all I have at this time.

12 THE WITNESS: Every property that we ever
13 own is always in my name. He doesn't want any of that
14 stuff.

15 MR. SLOTCHIVER: Let's open this back up.

16 FURTHER EXAMINATION

17 BY MR. SLOTCHIVER:

18 Q. Why?

19 A. Because he loves me that much.

20 Q. Well, how many properties have you and he owned
21 other than the one on River Road?

22 A. Well, we used to live in different houses, you
23 know, West Ashley, James Island. You know, we've been
24 married 42 years and only 20 has been in this house.

25 Q. Okay. And every property you've ever owned you

1 said has been in only your name?

2 A. Yeah.

3 Q. Was he worried about debtors, people suing him?

4 A. No, no. That I know of, no.

5 Q. Well, I'm curious why it was that all the
6 property was always in your name.

7 A. He just -- he like to show me love like that.

8 Q. But do you understand that if you and he were
9 to --

10 A. And, you know, it's so funny because our friends
11 will say aren't you afraid that he's just going to leave
12 you and take everything? And he always said, let her
13 take it. If she leaves me, I don't want anything. So,
14 yeah, there's love like that, believe it or not.

15 Q. Do you understand that under South Carolina -- do
16 you have any friends that have ever been through a
17 divorce before?

18 A. I'm sure I have.

19 Q. Are you familiar with the fact that --

20 A. But not that I was involved or anything on it.

21 Q. Are you familiar with the fact that the law in
22 South Carolina is that if you go through a divorce
23 regardless of whose name a property is in they still get
24 ownership?

25 A. Oh, I didn't know that.

1 THE WITNESS: I didn't know that, Joe.

2 MR. SLOTCHIVER: All right. Nothing

3 further.

4 (Off-the-record discussion.)

5 THE WITNESS: I would like to see it, read

6 it.

7 (Defendants' Exhibit No. 3 was marked for

8 identification.)

9 (The deposition was concluded at 3:05 p.m.)

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1 STATE OF SOUTH CAROLINA)
2)
3 COUNTY OF CHARLESTON)

4 I, Nancy Ennis Tierney, Certified Shorthand Reporter
5 and Notary Public for the State of South Carolina at
6 Large, do hereby certify that the witness in the
7 foregoing deposition was by me duly sworn to testify to
8 the truth, the whole truth and nothing but the truth in
9 the within-entitled cause; that said deposition was
10 taken at the time and location therein stated; that the
11 testimony of the witness and all objections made at the
12 time of the examination were recorded stenographically
13 by me and were thereafter transcribed by computer-aided
14 transcription; that the foregoing is a full, complete
15 and true record of the testimony of the witness and of
16 all objections made at the time of the examination; and
17 that the witness was given an opportunity to read and
18 correct said deposition and to subscribe the same.

19 Should the signature of the witness not be affixed to
20 the deposition, the witness shall not have availed
21 himself/herself of the opportunity to sign or the
22 signature has been waived.

23 I further certify that I am neither related to nor
24 counsel for any party to the cause pending or interested
25 in the events thereof.

26 Witness my hand, I have hereunto affixed my official
27 seal this 7th day of October, 2025, at Charleston,
28 Charleston County, South Carolina.

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Nancy Ennis Tierney, CSR (IL)
My Commission Expires:
May 2, 2034

STATE OF SOUTH CAROLINA

ISSUED BY THE CHARLESTON COUNTY CIRCUIT COURT

JOSEPH W. KEATING,

Plaintiff,

SUBPOENA IN THE
CIRCUIT COURT

v.

HARRISON WILDER, JR., et.al.,

Defendant.

Case Number: 2025-CP-10-1165

Charleston County

TO: Macarena M. Keating
1355 River Road
Johns Island, SC 29455

☐ YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

AM

☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE

Slotchiver & Slotchiver, LLC
751 Johnnie Dodds Blvd.
Mount Pleasant, SC 29464

DATE AND TIME: October 1, 2025, 2:00 PM

☐ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents or objects:

PLACE

DATE AND TIME:

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

AM

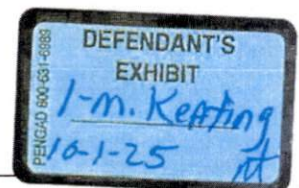
ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

Brent S. Halversen

September 19, 2025

Brent S. Halversen, Esquire



Attorney/Issuing Officer's Signature

Date

Print Name

Attorney for Respondent, SB Beach, LLC
Attorney's Address and Telephone Number :
751 Johnnie Dodds Blvd., Ste. 200, Mt. Pleasant, SC 29464
(843) 813-6453

Clerk of Court/Issuing Officer's Signature
Pro Se Litigant's Name, Address and Telephone Number :

Date

Print Name

PROOF OF SERVICE

SERVED	DATE	FEES AND MILEAGE TO BE TENDERED TO WITNESS UPON DAILY ARRIVAL ☐ YES ☒ NO AMOUNT \$
	PLACE	
SERVED ON		MANNER OF SERVICE Process Server
SERVED BY		TITLE

DECLARATION OF SERVER

I certify that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____

SIGNATURE OF SERVER

751 Johnnie Dodds Blvd., Suite 200

Mt. Pleasant, SC 29464

ADDRESS OF SERVER

Rule 45, South Carolina Rules of Civil Procedures, Parts (c) and (d):

(c) Protection of Persons Subject to Subpoenas.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial. A party or an attorney responsible for the issuance and service of a subpoena for production of books, papers and documents without a deposition shall provide to another party copies of documents so produced upon written request. The party requesting copies shall pay the reasonable costs of reproduction.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises—or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition, or production or inspection directed to a non-party, the court in the county where the non-party resides, is employed or regularly transacts business in person, shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance; or

(ii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held; or

(iii) requires disclosure of privileged or otherwise protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to incur substantial expense to travel from the county where that person resides, is employed or regularly transacts business in person, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) Duties in Responding to Subpoena.

(1)(A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

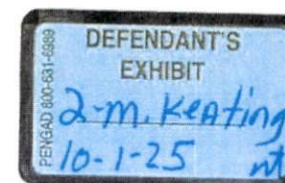
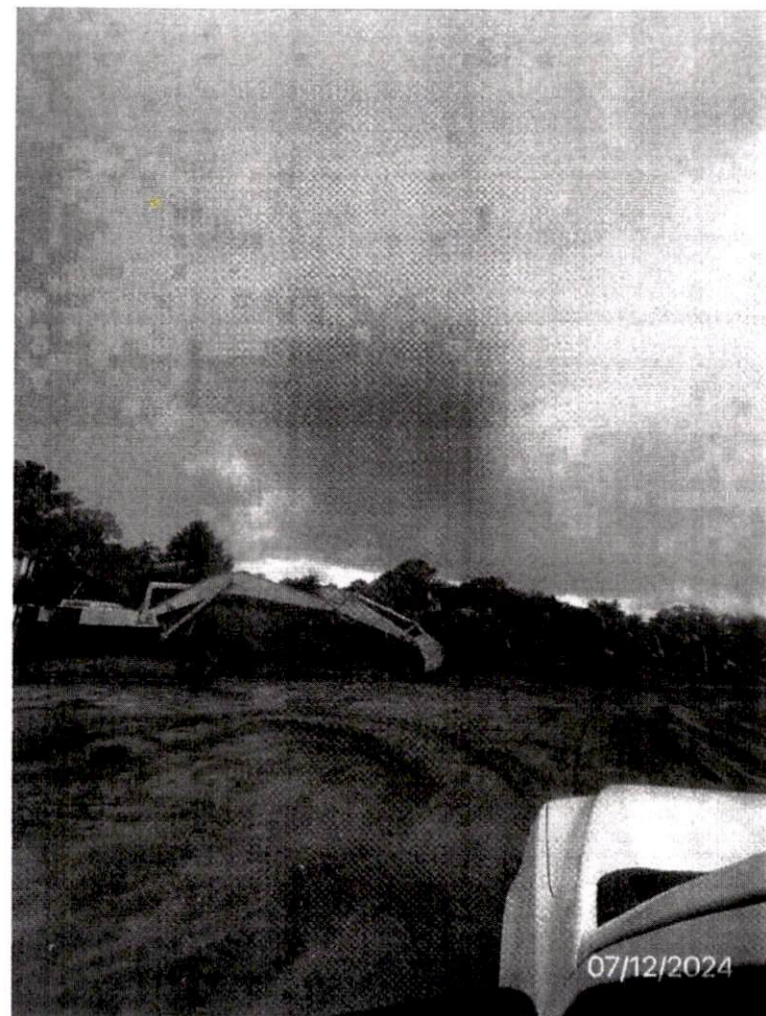
(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(6)(B). The court may specify conditions for the discovery.

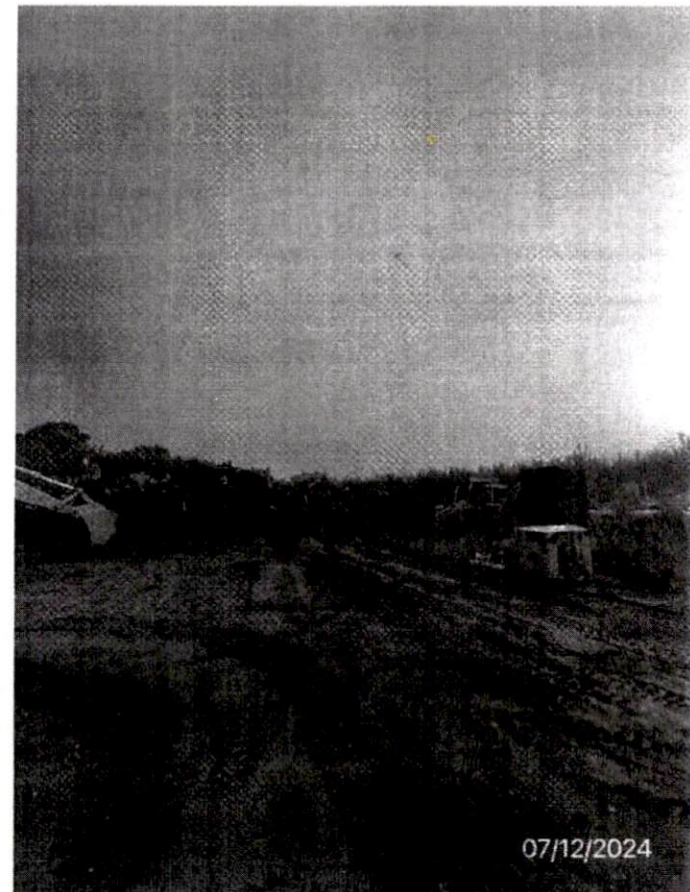
(2)(A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, the receiving party must take reasonable steps to retrieve the information. The person who produced the information must preserve the information until the claim is resolved.





Unpermitted Shipping Container



Tree debris from other sites

Re-open

File Checklist and Investigation Notes

✓ Case # 8-12-3051

Number (i.e. TMS#) 311-00-00-092

Street Name) 1355 River Road

2-10-2014

✓ CD - Section 10-2 (Declaration of Nuisance)

✓ No _____ Included Yes _____ No _____

Name, Phone#, Mailing Address)

- Name Marcarena M. Keating or Joseph
- Phone/Email _____
- Mailing Address 1355 River Road John's Island, SC

✓ ☐ Complainant's Info - if known (Name, Phone#, Mailing Address)

- Name Ms. Linda Costa
- Address 1369 River Road
- Phone/Email (843) 367-1576 or 670-3919

✓ ☐ Re-Inspection Date (Pictures/Includes) 2014 pictures as of Feb 2014

✓ ☐ Zoning: R-4 Tax District: _____

☐ Case Re-Opened: Yes ☒ No _____ Date Re-Opened 2-11-2014

Date/Time: 2-11-2014

Investigative Notes: Case Reopened after complainant notified agency of re-occurring problem w/ illegal dumping @ front of property near roadside.

2/11/2014 - 4:51 pm - Atty Hill was contacted regarding the current client's violations (see email)

3/18/14 - NOV letters sent cert. filed & to Atty - GAN



Violation File Checklist and Investigation Notes

E-GOV Case # _____

[illegible]

ZONING VIOLATION NOTICE

RE: Keating Landscape & Tree Service
1341 River Road John's Island, SC
TMS: 311-00-00-092
Zone: Agriculture

March 18, 2014

can 3.18.14
FILE COPY



Mr. Joseph Keating
1355 River Road
John's Island, SC 29455

PLANNING DEPARTMENT
Lonnie Hamilton, III Public Services
Building, 4045 Bridge View Drive
North Charleston, SC 29405-7464
843.202.7200, 1.800.524.7832 Fax: 843.202.7222
Daniel C. Pennick, AICP, Director

CERTIFIED MAIL # 91 7199 9991 7032 1977 8752

Mr. Keating,

A recent inspection of the above referenced property indicated several violations of the Charleston County Zoning and Land Development Regulation. Currently, the use or attempted use of land that is not consistent with the requirements of the ordinances pertaining to beautification and illegal dumping violates **Article I. Section 10-2 (b) Solid Waste** which states in part that "it is unlawful for any owner of an occupied lot to permit on that lot the accumulation of SOLID WASTE (refuse, rubbish, trash, garbage, offal, junk, building materials, demolition materials, scrap, fallen trees, and any other matter deleterious to good health and public sanitation)... and **illegal Dumping Ordinance #1115 Section 5(A)** that states "No person shall dump, throw, drop, deposit, discard or otherwise dispose of litter or other solid waste upon any public or private property in the County whether from a vehicle or otherwise.

As a result of these findings, the Charleston County Planning Code Enforcement Office is seeking your cooperation to correct the reported violations by removing these excess materials from the open lot area at 1341 River Road John's Island, SC.

In the future, if the unapproved activity continues on the property and compliance to the ordinance is not adhered to, further enforcement action of a fine of \$1092 (with each day of violation enforced as a separate offence) may be issued by our Code Enforcement Office of Charleston County.

If there are any questions, feel free to contact the Charleston County Planning Department at 202-7200. Thank you for your cooperation in this matter.

Sincerely,

Lisa McGraw
Planner II/Code Enforcement