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Jul 27 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Jocelyn Newman, Circuit Court Judge

Case No. 2026-001160

Debra Hoffman, Trustee of the Hoffman Family Trust, Appellant

v.

Graham Barugh; Weeks & Irvine, LLC; and Does 1 to 50, Defendants, of which Graham Barugh is the Respondent.

Supplement to Motion to Stay Appellate Proceedings and for Remand to Circuit Court for
Rule 60 Motion to Vacate Judgment

TO ALL INTERESTED PARTIES:

COMES NOW the Appellant, Debra Hoffman, Trustee, to supplement the Motion for Stay and Limited Remand filed 7/23/26 as follows:

Apparent Fraud on the Court by Respondent and Counsel

It now appears to Appellant that Respondent and his counsel perpetrated and continue to this day to perpetrate, a Fraud on the Court, to wit, that Respondent is entitled to recover his attorney fees and costs in this case. On June 12, 2023, two months after the April 10, 2023, trial, Judge Dickson emailed Respondent's counsel, copying Appellant's counsel, that: *"Gentlemen, I have heard the testimony at trial, reviewed the evidence and documents presented, and considered the arguments of counsel. I find and conclude that there was no breach of contract or fraud by the defendants and that the plaintiff's case be dismissed with prejudice. Mr. Krahe, please prepare an order, copy Mr. Hoffman and submit it for my approval. Judge Dickson"*

Then on 7/18/23, Judge Dickson again emailed counsel, that: *“Mr. Krahe, Please prepare the order as I requested based upon what I heard in court. Please send it to my queue. Thank you, Judge Dickson”*

In both emails, no mention of Appellant being found in default under the real estate sale contract at issue, entitling Respondent to recover his attorney fees and costs. This is because Judge Dickson was never asked to and could not possibly have found this, as this issue was never raised by Respondent in his pleadings (there was never a counterclaim filed), nor did Respondent make this contention at trial, meaning Appellant never had reason to address it (not that Appellant offering a credit in lieu of repairs was a default in any event).

But the proposed order Respondent’s counsel submitted on July 19, 2023, included findings and an order thereon that Appellant had defaulted and Respondent was thus entitled to recover his attorney fees and costs, again findings and an order thereon that Judge Dickson could not possibly have made without denying Appellant due process; as the issue was never presented to him by Respondent at trial, so Appellant had no reason or opportunity to address it at trial. Giving Judge Dickson the benefit of the doubt, that he read the proposed order through before signing it and just missed that Respondent and his counsel had inserted findings and an order thereon that he could not possibly have made as detailed above, Judge Dickson, over Appellant’s objection, signed the proposed order on August 8, 2023.

Then on July 11, 2024, without granting Appellant the hearing she had requested and over her objection, Judge Dickson signed another Order that he had asked Respondent’s counsel to prepare, denying Appellant’s post-trial motions, containing the same fraudulent language snuck in that Respondent was entitled to recover attorney fees and costs because Plaintiff had defaulted (again, Plaintiff did not default and Respondent had never raised this issue in his pleadings or at trial).

On November 8, 2024, roughly four months after the July 11, 2024, Order (not within 10 days after as required by SCRCP Rules 54 and 59). Respondent filed his very late motion for attorney fees and costs, based on the two

orders with the false findings and order thereon inserted, they had prepared for Judge Dickson, thereby continuing to perpetrate the Fraud on the Court. Their Fraud on the Court continued through December 8, 2025, hearing on their motion for attorney fees and costs, where Respondent and his counsel continued to represent, falsely, that Respondent was entitled to recover his attorney fees and costs based on Judge Dickson's Orders.

In reliance on the previous false findings and order thereon that Appellant had defaulted and Respondent was thus entitled to recover his attorney fees and costs, Judge Newman (not Judge Dickson, who had awarded Respondent no fees and costs because Respondent had offered no testimony nor evidence at trial on his fees and costs AS IT WAS NEVER AT ISSUE) awarded Respondent, on March 19, 2026, \$50,000+ in fees and costs, despite the litigation and trial having been limited/abbreviated on what was a \$8,580 earnest money dispute.

Judge Newman denied Appellant's motion for reconsideration, based still on the same Fraud on the Court, and this appeal followed.

Conclusion

Respondent's counsel, early in the litigation, had lied to the Court about having objected on the record to Appellant's affidavit to get Judge Cothran to reconsider his grant of summary judgment to Appellant (which Appellant proved by submitting a transcript of the hearing to Judge Cothran, who did nothing about it). So, this continuing, to the present day, Fraud on the Court that Respondent is entitled to his fees and costs when he absolutely is not, is nothing new for Respondent and his counsel.

Yes, these are serious allegations, but a serious miscarriage of justice has taken place, and is still taking place, in this case. Thus, this urgent request that this Court stay this appeal and limited remand this case back to the Circuit Court so the continuing Fraud on the Court by Respondent and his past and present counsel can be addressed now by a Rule 60 motion to vacate judgment, rather than having to wait potentially years for an expensive and time-consuming appeal to conclude and with Respondent's past and present counsel being

Officers of the Court, they are both ethically and legally obligated to remedy this Fraud on the Court, by moving themselves to vacate Judge Newman's award of fees and costs, to avoid further damage being inflicted on Appellant.

Dated: July 27, 2026

/s/Bruce R. Hoffman
LAW OFFICE OF BRUCE R. HOFFMAN, LLC
Attorney for Appellant Debra Hoffman, Trustee
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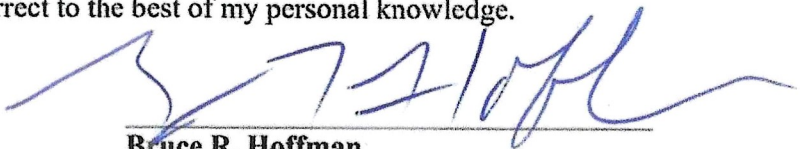
Graham Barugh; Weeks & Irvine, LLC; and Does 1 to 50, Defendants, of which Graham Barugh is the Respondent.

Affidavit of Bruce R. Hoffman

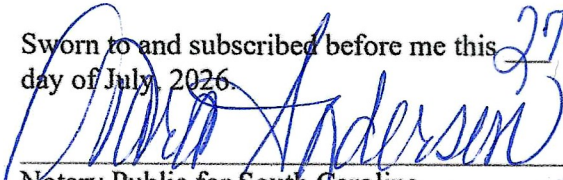
I, Bruce R. Hoffman, state:

I have been a licensed South Carolina attorney for 32 years (and an attorney for 44 years total), I am Appellant's attorney in this case, and would be competent to testify to the within if called to do so.

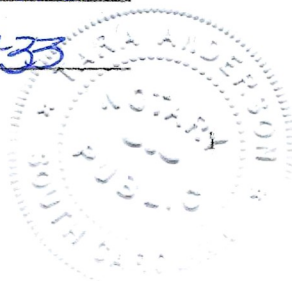
I have reviewed Appellant's Supplement to Motion to Stay Appellate Proceedings and for Remand to Circuit Court for Rule 60 Motion to Vacate Judgment, incorporated herein by reference, and the facts and contentions stated therein, are, under penalty of perjury, true and correct to the best of my personal knowledge.


Bruce R. Hoffman

Sworn to and subscribed before me this 27th
day of July, 2026.


Notary Public for South Carolina

My Commission Expires: 3/1/33



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