

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

Jennifer L. Browning and
Browning Geriatric Consulting, LLC,

Plaintiffs,

v.

Paul Hulsey, Cherie Durand, Kimberly
Thomason, Devon Puriefoy, Desa
Ballard, Mayra Michalski, Luis
Michalski, Margaret Miniard, Stacey
Grist, and John and Jane Does 1-14,

Defendants.

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

C.A. No. 2024-CP-23-03730

**ORDER DENYING DEFENDANTS' MOTION
FOR JUDGMENT AS A MATTER OF LAW**

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Aug 11 2026

SC Court of Appeals

This matter came before the Court on Defendants' Kimberly Thomason, Devon Puriefoy, and Desa Ballard (collectively "Defendants") Motion for Judgment as a Matter of Law ("JMOL Motion") in the above-captioned matter.

This case along with four interrelated cases were brought by individual parties against several common defendants. All pretrial motions for all five cases were heard collectively because the cases had common issues and common attorneys. Because of the commonalities in the cases, the attorneys for both sides agreed to have the damages hearings heard during one week of court in Greenville County. All five cases were heard during the week of January 12 through 16, 2026. The Court heard testimony and received exhibits on the cases in sequential order. In an attempt to expedite the hearings, the Court deferred motions for directed verdict as a matter of law. The Court allowed post-trial motions to be filed by the Defendants at the conclusion of the five hearings. On January 20, 2026, the Court requested via e-mail that the Defendants transmit their post-trial materials

Exhibit L

through email for the Court's convenience; the Court did not intend for the request for email copies of the JMOL Motions to act as a substitute for proper filings under the SCRCP. The Court acknowledges that this directive could have been clearer in its request to wit: "Upon e-filing your post-trial motions, please send the Court a courtesy copy of your motions to the Court and his law clerk via email." The lack of clear instructions created confusion as to how to file the motions. To rectify the confusion created by the Court, the Court is issuing the instant Order to provide its ruling on the Defendants' JMOL motion.

The Court notes that Defendants' JMOL Motions were transmitted to the Court via email on February 18, 2026. The Defendants electronically filed their JMOL Motion with the Clerk of Court on March 6, 2026 (and the JMOL Motions for the four other related cases) just before the Final Order of Judgment was filed by this Court on March 12, 2026. Additionally, Defendants have since filed Motions for Reconsideration as to the Final Order of Judgment.

As to this JMOL matter, the Court finds it unnecessary to conduct and hear oral arguments. Based on the pleadings, motions, memoranda, and evidence of record, the Court deems it necessary to issue this Order denying Defendants' JMOL Motion *nunc pro tunc*.

ANALYSIS

Notwithstanding the Court found the Defendants to be in default, the Court finds the plaintiffs, Jennifer Browning and Browning Geriatrics Consulting, LLC., presented ample testimony regarding the damages to her personally and the damages to the LLC. The plaintiffs called Fred W. "Trey" Suggs, Esquire ("Suggs") and Mrs. Browning to testify. The Court also considered the following plaintiffs' exhibits which were entered as evidence in the

case: Exhibits 1-3: Grist, Michalski, and Schnabel defamatory letters; Exhibit 4: *Johnston/Singer* Complaint; Exhibit 5: *Johnston/Singer* Consent Order; Exhibit 6: *Miniard* state case complaint; Exhibit 7: *Miniard* state case consent order; Exhibit 8: Petition to South Carolina Supreme Court; Exhibit 9: South Carolina Supreme Court Order; Exhibit 10: *Grist* state case complaint; Exhibit 11: Summary Judgment Order in *Grist* state case; Exhibits 12-17: three Federal lawsuits and Orders; Exhibit 18: *McCalla* petition; Exhibit 19: Greenville Journal publication; Exhibit 20: Letter re: FOIA request attaching Ms. Browning cases; Exhibit 21: Epoch Times article; Exhibit 22: Summary of attorneys' fees and expenses paid to-date. The deposition transcripts of attorney defendants Thomason, Defendant Puriefoy, Defendant Ballard, and Defendant Durand were also introduced across all related cases.

The testimony and evidence clearly established that Mrs. Browning and Browning Geriatric lost business income as a result of the actions of the defendant attorneys. She gave specific testimony regarding loss of income from prospective clients that did not hire her due to the letters and lawsuits. Mrs. Browning testified that her attorneys' fees and expenses paid to-date total \$356,414.15. The attorney fees and expenses paid have caused Mrs. Browning a huge financial constraint. Mrs. Browning has been married for 32 years. The letters and lawsuits have caused extreme discord in her marriage. All the suits caused undeserved chaos to her marriage and family. Mrs. Browning testified that she and her husband had many conversations about the legal fees and loss of income she has incurred. She had conversations with her children regarding whether they were going to be able to continue their education at a local private school and whether or not Mrs. Browning and her husband were going to be able to pay for their college. Mrs. Browning has been unable to

attend family vacations, and she has missed weekends, holidays, and mealtimes with her family. Her husband took their children on vacations while Mrs. Browning had to stay home in order to prepare and defend the lawsuits. Mrs. Browning testified that she will never be able to recover the loss of family time. She estimates that she has spent thousands of hours on these cases, through meeting with attorneys, going through and printing out emails, answering questions, all while working. She testified that she felt like she was drowning as a result of the continued harassment. The Court also craves reference to the final order which provides a more extensive summary of facts which were presented by the Plaintiffs in the hearing and upon which the Court bases its ruling herein.

RULING

Based upon the ample, credible and compelling evidence of damages presented by the plaintiffs, the Court respectfully denies the defendants' motion for Judgment as a Matter of Law. Additionally, the Court denies all the respective motions as to each of the Plaintiffs' causes of action and facts including: (a) Abuse of Process; (b) Interference with Prospective Contractual Relations; (c) Intentional Infliction of Emotional Distress; (d) Declaratory Judgment; and (e) Proof of Malice. The Court denies all issues raised by the Defendants in their motion for Judgment as a Matter of Law. The Court issues this Order *Nunc pro Tunc* to reflect the ruling of the Court on this JMOL motion to be prior to the issuance and filing of the Final Order in this case.

IT IS SO ORDERED.

This ____ day of _____, 2026

Eugene C. Griffith, Jr.

Presiding Circuit Judge



Case Caption: Jennifer L Browning , plaintiff, et al vs. Paul Hulsey , defendant, et al
Case Number: 2024CP2303730
Type: Order/Other

It is so ordered

Eugene C. Griffith, Jr. 2154
