

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

Roland O'Neil Rabon, Jr.,

Plaintiff,

v.

Paul Hulsey, Cherie Durand, Kimberly
Thomason, Devon Puriefoy, Desa Ballard,
Mayra Michalski, Margaret Ann Miniard,
John & Jane Does ##1-14,

Defendants.

IN THE COURT OF COMMON PLEAS

THIRTEENTH JUDICIAL CIRCUIT

C.A. No. 2024-CP-23-03236

**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 13, 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 that Defendants' JMOL Motion lacks merit. The Court finds the plaintiff, Roland O'Neil Rabon Jr. ("Mr. Rabon"), presented ample testimony regarding the damages caused by Defendants. At the damages hearings that occurred the week of January 12, 2026, Mr. Rabon testified to his experience resulting from the letters. Mr. Rabon is an equity owner of the law firm of

Ashmore Leaphart Rabon and Provence, LLC. He testified that over seventy percent of his billable hours comes from referrals. This is the income that he relies upon to support himself and his family. Mr. Rabon testified that he moved to Greenville over forty years ago and has practiced law in this community ever since. Rabon offered significant testimony about his professional career. He described how long he had to work to build a self-sustaining legal practice. He spent decades building relationships with other attorneys, with members of the community, and with referral sources. Mr. Rabon testified he had learned about the defamatory letters before he received them by mail. Mr. Rabon explained how he suffered from sleeplessness and how his mental well-being impacted his home life and familial relationships for the past two years. Mr. Rabon recounted how Defendants' false accusations inflicted significant financial harm upon him. Mr. Rabon indicated that in 2023 his personal fee income was \$496,891.54.9 Yet, in the very next year after Defendants transmitted the defamatory letters in May, his personal fee income dropped to \$263,408.32, a difference of \$233,483.52. In 2025, Mr. Rabon's personal fee income slightly rebounded to \$303,184.03, a difference of \$193,707.51. Mr. Rabon further testified he lost (conservatively speaking) eighty (80) hours in billable time at an hourly rate of \$550.00 per hour for a total of \$44,000.00. Mr. Rabon also testified that mental anguish, his lost love for his profession, diminution in personal fee income, and the impacts on his family have all combined as factors compelling him to retire earlier than he had planned. As a result, he is winding down his practice and conservatively estimates his retirement has been accelerated by no less than two years sooner than it otherwise would have been had Defendants not stained his reputation. Rabon testified that retiring early by two years will cause lost personal fee

income totaling \$708,989.26. Lastly, Rabon testified that, as of December 31, 2025, he had incurred legal fees and costs totaling \$175,874.56.

In addition to the foregoing testimonial evidence, this Court also considered the following exhibits which were entered into evidence in this case without objection: (1) Michalski Defamatory Letter; (2) Grist Defamatory Letter; (3) Schnabel Defamatory Letter; (4) Copy of Delivery Envelope for May 17, 2024 Defamatory Letters; (5) Fee Income Losses, Early Retirement Losses, and Lost Time Losses; (6) Maynard Nexsen/Wilkins Davis Attorney's Fees & Costs; (7) Economic Damages Summary; (8) EPOCH Times Article dated February 24, 2025; (9) Michalski Order; (10) Grist Order; (11) Miniard Order; (12) Thomason Depo. Transcript; (13) Puriefoy Depo. Transcript/Exhibits; (14) Ballard Depo. Transcript/Exhibits; (15) Durand Depo. Transcript/Exhibits. 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 Plaintiff, the Court respectfully denies Defendants' motion for Judgment as a Matter Law. Additionally, the Court denies all the respective motions as to each of the Plaintiffs' causes of action and facts including: (a) libel; (b) libel *per se*; (c) slander; (d) slander *per se*; (e) intentional interference with prospective contractual relations; (f) civil conspiracy; and (g) violations of the South Carolina Unfair Trade Practices Act. The Court denies all issues raised by the Defendants in their JMOL Motion. 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 of Judgment in this case

IT IS SO ORDERED.

This ____ day of _____, 2026

Eugene C. Griffith, Jr.
Presiding Circuit Judge



Case Caption: Roland Oneil Rabon Jr vs. Paul Hulsey , defendant, et al
Case Number: 2024CP2303236
Type: Order/Other

It is so ordered

Eugene C. Griffith, Jr. 2154
