

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

Fred W. "Trey" Suggs

Plaintiff,

v.

Paul Hulsey, Cherie Durand, Kimberly
Thomason, Devon Puriefoy, Desa
Ballard,

Defendants.

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

C.A. No. 2024-CP-23-03258

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

RECEIVED

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 the 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 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

Exhibit J

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, Fred. W. “Trey” Suggs (“Mr. Suggs”), presented ample testimony regarding the damages caused by Defendants. Mr. Suggs called the following three witnesses to testify regarding damages: S. Blakely Smith (“Mr. Smith”), V. Clark Price (“Mr. Price”), and Mr. Suggs. This Court also considered following exhibits, which were entered as evidence in the case: (1) Michalski Defamatory Letter; (2) Grist Defamatory Letter; (3) Schnabel Defamatory Letter; (4) EPOCH Times Article;

(5) Bon Secours Revenue for 2023-2025; (6) Nelson Mullins Statement of Attorney's Fees; (7) Damages Summary; (8) Article on Mr. Suggs Receiving Worthy Adversary Award; (9) Article on Mr. Suggs being named in Greenville 2025 Top Lawyers List; (10) Article on Mr. Suggs being named Best Lawyers in America 2026; (11) Article on Mr. Suggs being included in SC Lawyers Weekly Medical Malpractice Law Power List 2024; and (12) Article on Mr. Suggs being included in SC Lawyers Weekly Medical Malpractice Law Power List 2025.

Mr. Suggs is a partner at Cassidy Coates Price, P.A., who concentrates his practice on defending hospitals and medical professionals. He testified he has been asked about the allegations in the letter from numerous colleagues and how he is aware of the public EPOCH Times article and its reference to his association to a "Sham Probate Enterprise." Mr. Suggs additionally testified to how the letter presented a substantial risk to his relationship with his firm's largest client, Bon Secours Health System, Inc. After the letters circulated, he was required to meet with lawyers in the general counsel's office and members of the risk management department. Mr. Suggs testified that losing Bon Secours Health System as a client would be devastating to his firm. Mr. Suggs spent a considerable amount of time dealing with the defamatory letter which he estimated to be approximately one hundred and fifty (150) hours. His average billable rate is four hundred fifteen and 00/100ths dollars (\$415.00) which equates to a total of sixty-two thousand two hundred fifty and 00/100ths dollars (\$62,250.00) of lost time. He has also observed a reduction in the amount of revenue received from Bon Secours Health Systems, Inc. since it received the defamatory letter totaling approximately one hundred forty-four thousand eight hundred thirty-three and 76/100ths dollars (\$144,833.76). In total, Mr. Suggs testified that his economic damages

total approximately four hundred ninety-six thousand seven hundred fifty-one and 29/100ths dollars (\$496,751.29). Two witnesses, V. Clark Price and S. Blakely Smith, also testified to how Mr. Sugg's reputation has been harmed throughout the Greenville Bar and how difficult it is to repair. The Court also craves reference to the Final Order of Judgment, 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*; and (c) civil conspiracy. The Court respectfully 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: Fred W Trey Suggs III vs. Paul Hulsey , defendant, et al
Case Number: 2024CP2303258
Type: Order/Other

It is so ordered

Eugene C. Griffith, Jr. 2154
