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**Sep 18 2026**

**SC Court of Appeals**

## **Exhibit H**

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

Clayton L. Jennings,  
Plaintiff,  
v.

Paul Hulsey, Cherie Durand, Kimberly  
Thomason, Devon Puriefoy, Desa  
Ballard, Stacey Grist, Margaret Miniard,  
and John & Jane Does ##1-14,  
Defendants.

IN THE COURT OF COMMON PLEAS  
THIRTEENTH JUDICIAL CIRCUIT

**C.A. No. 2024-CP-23-03271**

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

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**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 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 that Defendants’ JMOL Motion lacks merit. The Court finds the plaintiff, Clayton L. Jennings (“Mr. Jennings”) presented ample testimony regarding the damages caused by Defendants. He is a sole practitioner at Jennings Law Firm, LLC, where his practice focuses on civil litigation and probate and estate planning. He testified that his firm does not advertise and receives most of its work via referrals, appointments, and repeat clients. He is a former Associate

Probate Judge and has been practicing law in Greenville County and throughout South Carolina for nearly twenty-five (25) years. Mr. Jennings also testified as to the professional recognition he has received within the legal community. Mr. Jennings further testified regarding Facebook posts by a group referred to as the Center for Estate Administration Reform (“CEAR”), which branded him as an estate trafficker and compared him to another South Carolina lawyer whose recent prosecution and nationally followed conviction cast a negative light on the entire South Carolina legal system. He testified regarding the amounts of “shares” and “comments” regarding this CEAR Facebook post and how the CEAR Facebook page appeared to have many followers. He did not know how to have these false allegations removed from the internet and that he was concerned about prospective clients seeing this false information.

Mr. Jennings testified regarding the damages he has incurred as a result of the defamatory letters. He testified that his damages include economic losses consisting of lost billable time and a decrease in revenue from lost referrals and cases from other attorneys. As to the lost cases, he testified that he was not able to accept certain matters, such as contested guardianship/conservatorship cases and receivership appointments, because of the false allegations spread by Defendants and to reduce the risk of exacerbating the reputational harm caused by the same, as well as to protect potential clients from harm associated with the Defendants targeting him and other probate practitioners. He testified that, based on conservative estimates, his economic damages total approximately \$181,759.25. Mr. Jennings is also seeking \$5,000,000 in noneconomic damages, which are

those that the law presumes for an accusation of the commission of a felony in written correspondence.

This Court also considered the following exhibits which were entered as evidence in the case: (1) Schnabel Defamatory Letter; (2) Grist Defamatory Letter; (3) Definitions Section of the SCRC; (4) CEAR Facebook Post dated August 31, 2024; (5) CEAR "About" Page; (6) Greenville County Register of Deeds Facebook Post dated June 28, 2018; (7) CEAR Facebook Home Page; (8) CEAR Facebook Post dated February 25, 2025; (9) Epoch Times Article dated February 24, 2025; (10) CLE Article by Defendant Desa Ballard; (11) Email from Courtney Atkinson to Mr. Jennings; (12) Email from Mr. Jennings to Stokely Holder, Steven Buckingham, and Andrew Frederick; (13) Email from Mr. Jennings to Will Maxey; (14) Email from Mr. Jennings to Sidney Mitchell; (15) Email from Mr. Jennings to Carole Dennison; (16) Email from Mr. Jennings to James Drennan; (17) Estate Detail for Lost Referral in the 2024ES2301010 Matter; (18) Itemization of Known Economic Damages; and (19) Deposition Testimony of Desa Ballard, Kim Thomason, Devon Puriefoy, and Cherie Durand, and the exhibits marked or used therein. 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 of 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) abuse of process; (d) intentional

infliction of emotional distress/outrage; (e) intentional interference with prospective contracts/business relations; (f) civil conspiracy; and (g) a declaratory judgment. 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:** Clayton L Jennings vs. Paul Hulsey , defendant, et al  
**Case Number:** 2024CP2303271  
**Type:** Order/Other

It is so ordered

**Eugene C. Griffith, Jr. 2154**

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