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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Commons Pleas
2026-CP-26-07328

Family Court Case Number
2025-DR-26-2774

Appellate Case No.

Carla Ericson,

Petitioner

v.

Stuart M. Axelrod,

Respondent

MOTION TO SUPPRESS ELECTRONIC COMMUNICATIONS

This matter comes before the Court on behalf of Carla Ericson, Petitioner herein (Defendant in the pending action before the Court of Common Pleas for Horry County) by and through her undersigned counsel, who would show unto this Court, pursuant to Rule 240, SCACR, and Court News as posted and denoted as 2020-03-20-01, and S. C. Code Ann. § 17-30-110, that the relief requested here should be granted. *Court of Appeals has exclusive jurisdiction over these matters pursuant to South Carolina State Law.* Petitioner moves before this Court for an Order to suppress certain electronic communications between Petitioner and non-parties and between Petitioner and, based upon information and belief, her counsel of record in the pending Circuit Court action. Petitioner makes this Motion on the following grounds:

1. Petitioner, in a case filed in the Court of Common Pleas, is the Defendant and is being accused of violating the South Carolina Homeland Security Act, S.C. Code § 17-30-10 et seq., Electronic Communications Privacy Act, 18 U.S.C. § 2510-2523, and The Stored Communications Act, 18 U.S.C. § 2701 et seq. *Stuart M. Axelrod vs. Carla Ericson*, Case Number: 2026-CP-26-07328 (See Complaint attached as Exhibit A).
2. Respondent has filed a Motion to Suppress Electronic/Oral Communications and an Affidavit the family case, *Carla L. Ericson vs. Stuart M. Axelrod*, Case Number 2025-DR-26-2774 (See Motion attached as Exhibit B.) See the South Carolina Court of Appeals Order for Appellate Case No. 202-001137 in connection with the family case. (Exhibit E).
3. Respondent has filed an action against Ruth Le May in the Court of Common Pleas, *Stuart M. Axelrod vs. Ruth Le May*, Case Number 2026-CP-26-05684, alleging similar allegations as against Petitioner (See Complaint attached as Exhibit C).
4. Respondent, *Stuart M. Axelrod vs. Carla Ericson*, (Petitioner having not yet answered the Complaint), alleges that the Plaintiff in that case has engaged in Violations of the South Carolina Homeland Security Act and The Electronic Communications Privacy Act, Violation of the Stored Communications Act. In regard to the allegations that are in the sole jurisdiction of the Court of Appeals, the Plaintiff before the Court in this Motion, alleges the following in his civil Complaint and family court case the following: (each paragraph number corresponds with the attached Complaint as Exhibit A)

FOR A FIRST CAUSE OF ACTION
*(Violations of the South Carolina Homeland Security
Act and The Electronic Communications Privacy Act)*

26. *All allegations elsewhere in this Complaint are alleged herein as if repeated verbatim.*
27. *Plaintiff brings this cause of action pursuant to the South Carolina Homeland Security Act, S.C. Code Ann § 17-30-10, et seq., and Title I of the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2522.*
28. *The State Act substantially mirrors the Federal Act in its prohibitions of electronic eavesdropping and the interception of electronic communications. Both acts allow for a private right of action to victims of a violation of the acts. The State Act allows for substantially higher liquidated damages.*
29. *S.C. Code Ann. § 17-30-10 et seq., which is South Carolina's version of Title I of the Electronic Communications Act, makes it unlawful for a "person" to intercept electronic, oral, and wire communications.*
30. *Plaintiff's personal electronic and oral communications have been intercepted, intentionally accessed/recorded, disseminated, and used without his authorization in violation of the foregoing chapters and brings this civil cause of action against the Ericson, who accessed, intercepted, disseminated, used, and procured Plaintiff's private electronic and oral communications.*
31. *Plaintiff further alleges that Ericson and Le May, using a hidden voice activated audio recorder secreted in Plaintiff's bedroom eavesdropped on Plaintiff and made audio recordings of Plaintiff without his knowledge or consent, and Ericson used and disseminated said recordings in furtherance of Ericson and Le May's plot to irreparably damage Plaintiff's reputation and to gain an advantage in the pending domestic action.*
32. *Based thereon, Plaintiff is entitled to an immediate Order and injunction restraining Ericson and her agents, from any further dissemination or use of Plaintiff's private electronic communications, and any covertly obtained audio recordings of Plaintiff.*
33. *Pursuant to §§ 17-30-10 et seq. and 17-30-135 of the 1976 Code of Law, State of South Carolina, as amended, Plaintiff is further entitled to an award of actual damages against Ericson, but not less than liquidated damages computed at the rate of \$500.00 per day for each day of violation or \$25,000.00, whichever is greater, alleging that, upon information and belief, from the date of the first interception, disclosure continues upon the public records and elsewhere through this date and this Plaintiff is entitled damages at the rate of \$500.00 per day for every day on which the foregoing records continue to be used and disclosed. Pursuant to the holding*

in DirecTV, Inc. v. Galasso, No. 3:04CV00055, 2005 U.S. Dist. LEXIS 3078 (W.D. Va. Feb. 24, 2005). Plaintiff may be entitled to a separate damage award for each covert device secreted in his home, at the discretion of the Court. Plaintiff would be entitled to at least minimum statutory damages of \$25,000. Further discovery will be conducted to arrive at the total damages resulting from Ericson.

34. *Based on the holding in DirecTV v. Galasso, Plaintiff believes that he should be entitled to separate damage awards against Ericson for the "interception," "use," and "disclosure" of his intercepted oral communications, and a separate damage award for his intercepted electronic communications. This would bring the minimum statutory damages awarded against Ericson to \$100,000*
35. *Plaintiff is additionally entitled to punitive damages in an amount to be established by the Court, due to Ericson's intentional and willful violation of the Homeland Security Act, together with a reasonable attorney's fee and other litigation costs reasonably incurred and such other legal and equitable relief as the Court deems just and proper.*

FOR A SECOND CAUSE OF ACTION

(Violation of the Stored Communications Act)

36. *All allegations elsewhere in this Complaint are alleged herein as if repeated verbatim.*
37. *18 U.S.C § 2701 et. seq. sets forth that whoever intentionally accesses without authorization a facility through which an electronic communication service is provided or intentionally exceeds an authorization to access that facility and thereby obtains, alters, or prevents authorized access to wire or electronic information while it is in electronic storage in such system shall be punished as provided in subsection (b) of that section.*
38. *The Stored Communications Act also makes it unlawful for anyone to intentionally access without authorization a facility through which an electronic information service is provided.*
39. *Plaintiff is informed and believes based on the testimony and discovery responses of Ericson and her admitted coordination with third parties including her domestic counsel in these acts that accessed and obtained Plaintiff's electronic communications from his email account. Ericson actively participated in the unlawful access and theft of Plaintiff's confidential and attorney privileged electronically stored communications while in electronic storage at an electronic information service provider. Additionally, Plaintiff alleges that Ericson's use of this unlawful access to Plaintiff's stored electronic communications to gain an advantage in the domestic action between Plaintiff and Ericson and to cause*

actual and emotional damages to Plaintiff, and she has succeeded.

40. *Under § 2707 of the Stored Communications Act the Court may assess as damages in a civil action an amount equal to the sum of the actual damages suffered by Plaintiff and any profits made by the violator as a result of the violation, but in no case shall Plaintiff be entitled to recover or receive less than the sum of \$1,000 per access of his electronic communications. When the violation is willful or intentional, as it was here, the Court may assess punitive damages. In the case of a successful action to enforce liability under this section, the Court may assess the costs of the action, together with reasonable attorney fees determined by the court.*

41. *Therefore, Plaintiff believes he is entitled to \$1,000 damages against Ericson for each and every violation of this Act (each email accessed from the email account) and punitive damages for Ericson's willful and intentional conduct. Further discovery from Ericson and further forensic examination of Plaintiff's computer and email account can determine the precise number of violations of the Act that Ericson committed, and the exact dollar amount of liquidated damages due to Plaintiff as a direct and proximate result of Ericson's actions. Additionally, Plaintiff believes he is entitled to recover costs and reasonable attorneys' fees against Ericson as provided by the Act.*

5. Respondent filed a Motion to Consolidate these two (2) cases (See Motion attached as Exhibit D).
6. Petitioner was gifted an iPad Pro approximately seven (7) years ago from the Respondent. The iPad Pro was purchased by Axelrod & Associates, P.A. for Petitioner's sole exclusive use.
7. Petitioner maintained, on and off, the iPad Pro in her office at Axelrod & Associates, P.A. in her position as Office Manager.
8. The private iPad Pro contained passwords and no work-product for Axelrod & Associates, P.A. and had no other information.
9. The private iPad was synched with Petitioner's iPhone and reflected all information that would have been on her iPhone.

10. Respondent nor any other associate or member of Axelrod & Associates, P.A. had legitimate access to said iPad Pro.
11. Petitioner had gone on vacation leaving the iPad in her office and upon returning home she was informed, via e-mail on her iPhone, that her position at Axelrod & Associates, P.A., was terminated and any items in her office would be returned to her.
12. Once Petitioner was home, Petitioner learned that the iPad Pro had been removed and through various means, located it with two (2) employees of Axelrod & Associates, P.A.
13. Petitioner having legal access to a marital company vehicle that Respondent insist she drive, found in said vehicle an envelope with screenshots and various text messages that had been taken by Petitioner's iPhone.
14. The actions of Respondent are clearly a violation of the Electronic Communications Privacy Act, Stored Communications Act, the Computer Fraud and Abuse Act, and, based upon information and belief, include the interceptions of certain electronic communications between Petitioner and non-party individuals and accessing other stored electronic communications. Petitioner is informed and that Respondent has gone so far as to attempt to utilize these illegally intercepted electronic communications by sending screenshots or photographs of said communications to various Courts.
15. Counsel for Petitioner would submit that on its face the actions of Respondent in intercepting electronic communications between Petitioner and non-parties is in violation of federal law, specifically U.S. Code Ann., 18 U.S.C.A. § 2511 (1) and the disclosure of the contents of these electronic communications pursuant to 18 U.S.C.A. § 2515 would subject the violator to both criminal and civil sanctions as provided for in

those code provisions, thereby subjecting the violator and/or anyone who further transmits the information to up to five (5) years imprisonment or a fine. Further, 18 U.S.C.A. § 2515 specifically prohibits the use of these recorded conversations or the use of any evidence of intercepted wire or oral communications in " ... any trial, hearing, or other proceeding in or before any Court, ... of the United States, a state, or a political subdivision thereof if the disclosure of that information would be in violation of this chapter" as well as the corresponding state statute as addressed hereinbelow.

16. South Carolina law similarly forbids under S.C. Code Ann. § 17-30-20

the intentional interception, attempt to intercept, or disclosure to any person the contents of any wire, oral, or electronic communication knowing or having reason to know that the information was obtained by the interception to be punishable by a fine of up to \$5,000.00 and imprisonment of not more than five (5) years. South Carolina law similarly under S.C. Code Ann. § 17-30-65 forbids the admissibility or use of the contents of such intercepted communication or the fruits thereof.

17. The actions of Respondent have left no option to Petitioner but to seek an Order

of this court suppressing the release of the content of these electronic communications in any proceedings including the pending proceeding herein.

Further, Petitioner believes that Respondent's actions resulted in the necessity of filing this Motion to Suppress and Petitioner seeks an award of reasonable attorney's fees and costs for the necessity of this motion.

18. For these reasons and such further reasons as may appear at any hearing to be set

on the matter, Petitioner hereby moves for a hearing to be held by this Court, if needed following this Court's review of this Motion and attachments, as required by S.C. Code Ann. §17-30-110, *et seq.*, and U.S. Code Ann., 18 U.S.C.A. §2511, *et seq.*, and appropriate rulings made as to the intercepted communication(s) and that in the interim, any action by the trial court below be stayed in addition to an Order requiring the immediate listing of and disclosure of all documents and/or records concerning the interception of electronic communications of Petitioner, plus, such other action, rulings, and other relief as may be appropriate in this matter, including but not limited to, an award of attorney's fees, costs and expenses. Counsel verifies that he attempted in good faith to resolve this matter prior to filing this Motion to no avail. Counsel also affirms to this Court that he has, by copy of this Motion, notified Circuit Court counsel for Petitioner, all counsel of record for all Defendant in the Circuit Court action, and the Court below of this Motion.

Petitioner also moves for an order of this Court requiring the lower Court to segregate and seal the unlawfully obtained electronic communications and any evidence that has been gleaned from the use of said communication. Petitioner believes that information should be separated in the Court's file prohibiting review of said information by the Court, either party, or the public. Petitioner further moves for an order of this Court to stay both cases, *Stuart M. Axelrod vs. Carla Ericson*, 2026-CP-26-07328 and *Stuart M. Axelrod vs. Ruth Le May*, 2026-CP-26-05684.

Respectfully submitted,

VON HERRMANN LAW FIRM

/s/William B. von Herrmann

William B. von Herrmann
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Dated October 9, 2026
Conway, South Carolina



STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF HORRY) FIFTEENTH JUDICIAL CIRCUIT
Stuart M. Axelrod,) Case No.: 2026-CP-26-_____
Plaintiff)
vs.)
Carla Ericson,)
Defendant.)

SUMMONS

TO THE DEFENDANT, Carla Ericson,

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is hereby served upon you, and to serve a copy of your Answer to the said Complaint on Plaintiff or his attorney, at his office mailing address, Post Office Box 305, Sullivans Island, SC 29482, within thirty (30) days after the service hereof, exclusive of the date of such service, and if you fail to answer the Complaint within the time aforesaid, judgment by default will be rendered against you for the relief demanded in the Complaint.

s/Desa Ballard
Desa Ballard (S.C. Bar No. 498)
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s/Steven M. Abrams
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ATTORNEYS FOR PLAINTIFF

September 15, 2026

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY	)	
	)	Case No.: 2026-CP-26-_____
Stuart M. Axelrod,	)	
	)	
Plaintiff	)	
vs.	)	
	)	COMPLAINT
	)	(Non-jury)
Carla Ericson,	)	
	)	
Defendant.	)	
	)	

Plaintiff, complaining of the Defendant Carla Ericson ("Ericson") and seeking both legal and equitable relief against Ericson in this proceeding, will show unto this Honorable Court:

1. Plaintiff Stuart Axelrod ("Plaintiff") is a citizen and resident of Horry County, South Carolina and has been so in excess of twenty years.
2. On information and belief, Ericson is a citizen and resident of the State of California and has been for more than five (5) years. On or about May 19, 2026, Ericson attempted to fraudulently establish residence in South Carolina by applying for a South Carolina Driver's License and receiving a temporary South Carolina Driver's License bearing Account No. 0011641273.¹
3. This Court has subject matter jurisdiction over the subject matter of this matter, including the federal causes of action, and personal jurisdiction over the parties to this action.

¹ On December 8, 2025, Ericson, a California resident, filed a domestic action in Horry County falsely claiming to be a resident of South Carolina. Ericson, still a resident of California, later filed a second domestic action in Horry County on May 15, 2026, again falsely alleging she was a resident of South Carolina. On May 19, 2026, Ericson obtained a temporary driver's license in South Carolina. Six weeks later, on June 29, 2026 Ericson filed a third complaint in Horry County family court stating she was a resident of California, although she had attempted to establish South Carolina residency on May 19, 2026. None of Ericson's Horry County filings accurately allege her state of residence, unless her May 19, 2026 temporary South Carolina driver's license was withdrawn or revoked prior to the third family court filing on June 29, 2026.

4. Venue is appropriate in this jurisdiction because the events forming the basis of this complaint occurred primarily in Horry County, South Carolina.
5. In the summer of 2025, Ericson agreed with Ruth LeMay (Le May”) to engage in a civil conspiracy for purposes of engaging in unlawful action against Plaintiff and/or lawful acts through unlawful means to cause financial damage to Plaintiff. Both Ericson and LeMay knew the planned conspiratorial acts involved criminal activity, and they set about to undertake affirmative actions to surveil Plaintiff, secretly record Plaintiff and illegally intercept his personal emails, to compromise Plaintiff and damage him financially and otherwise.
6. In furtherance of the conspiracy, in June, 2025 Ericson obtained a voice activated electronic recording device and tested it to insure its operation.
7. After obtaining the voice activated electronic recording device, Ericson and Le May, in furtherance of the conspiracy and for the purpose of harming Plaintiff, intentionally and secretly placed a voice activated recording device in Plaintiff’s bedroom and possibly elsewhere for the purpose of secretly recording Plaintiff’s activities and conversations and did so secretly record Plaintiff’s conversations and using them adversely to Plaintiff.
8. Ericson has testified under oath that Le May assisted Ericson in the unlawful placement of the secret voice-activated recording device to unlawfully capture Plaintiff’s private conversations because Ericson herself did not know how to do it herself.
9. Forensic audio analysis of the voice activated recording device has confirmed that the earliest recordings on the subject voice activated recording device were captured beginning in June, 2025.

10. Ericson has falsely testified under oath that she purchased the voice activated recording device in September 2025. On information and belief, Ericson also fabricated evidence in support of her false testimony regarding the date she purchased the subject voice activated recording device and filed an affidavit with the South Carolina Court of Appeals perpetuating the falsehoods regarding the date of purchase of the subject voice activated recording device and the fabricated evidence regarding the date of purchase of the device.
11. Forensic audio analysis of the voice activated recording device has confirmed that multiple captured audio recordings on the voice activated recording device have been deleted by one or more users using Apple computer devices.
12. On information and belief, both Ericson and Le May are owners and users of Apple computer devices.
13. Ericson has testified falsely under oath that she did not delete any files from the subject voice activated audio recording device and further that she never accessed the recordings on the subject voice activate recording device.
14. Sometime between July, 2025 and October 1, 2025, Ericson and Lemay, in furtherance of the conspiracy between them, hid the subject voice activated audio recording device in Plaintiff's bedroom and possibly elsewhere for the purpose of surveilling Plaintiff and secretly recording Plaintiff's private communications.
15. At no time did Plaintiff authorize Ericson or Le May to secretly spy upon him or to secretly record his conversations.

16. On or about October 11, 2025, Plaintiff discovered the subject voice activated recording device in his bedroom and retained a private investigator to take possession, document and secure the device for forensic analysis.
17. On October 14, 2025, in furtherance of the conspiracy, and with Le May's knowledge and assistance, Ericson intentionally and illegally intercepted Plaintiff's private email communications stored on his desktop computer used exclusively by Plaintiff that was located at his home and his Hotmail online storage and shared them with third parties using electronic communication.
18. Illegal acts against Plaintiff committed by Ericson and Le May in furtherance of the conspiracy include multiple violations of the South Carolina Homeland Security Act, S.C. Code § 17-30-10 *et seq.*, The Electronic Communications Privacy Act, 18 U.S.C. § 2510-2523, and The Stored Communications Act, 18 U.S.C. § 2701 *et seq.*
19. At all relevant times, Plaintiff and Ericson were married to one another. During the marriage, they cohabited part of the time and lived separately part of the time. At all times each maintained a separate private residence in their respective states of residence.
20. At all relevant times, Plaintiff paid the expenses of maintenance and upkeep of Ericson's California residence, including providing support for Ericson's elderly mother, who was destitute other than owning some interest in real estate.
21. On August 3, 2025, Plaintiff told Ericson he wanted a divorce. Ericson refused and demanded that Plaintiff stay married to her, as well as continue to support Ericson and her mother. At least at that point and likely earlier, Plaintiff and Ericson became actively adverse to one another. Cohabitation ceased, although on occasion Plaintiff and Ericson resided in the same home until November 28, 2025 when Plaintiff was assaulted by

Ericson and her co-conspirator Le May, causing Plaintiff to flee the home and establish a single residence elsewhere.

22. In furtherance of their conspiracy, Ericson and Le May schemed and planned how best to weaponize Ericson to delay, disturb and prevent Plaintiff's efforts at ending the marriage between himself and Ericson.
23. On information and belief, Le May assisted Ericson in locating legal representation for a planned domestic action by a lawyer who was familiar with laws regarding unlawful interception of electronic and audio communications for the purposes of furthering the conspiracy.
24. On information and belief, on or about October 1, 2025, in furtherance of the conspiracy and with and active assistance of Le May, Ericson placed a secret voice activated recording device in Plaintiff's bedroom for the purpose of secretly intercepting Plaintiff's oral conversations including conversations between Plaintiff² and his clients and his own lawyers.
25. Plaintiff had no knowledge of the existence of the secret voice activated recording device in his bedroom and did not expressly or impliedly consent to being recorded by any audio device.
26. Forensic evidence establishes that Ericson secretly recorded multiple private conversations between Plaintiff and third parties which were captured by Ericson for illicit purposes in furtherance of the conspiracy.

² Plaintiff is licensed to practice law in South Carolina and has been engaged in private practice in Horry County and occasionally elsewhere for approximately twenty years.

27. The secret voice activated audio recording device was discovered on or about October 11, 2025 and was removed and placed for safekeeping and forensic analysis by a private investigator employed by Plaintiff.
28. On or about October 14, 2025, Ericson secretly gained access to Plaintiff's private email by entering an office in Plaintiff's home to which she had not previously been provided access. On that date, Ericson surreptitiously gained access to Plaintiff's personal computer for the first time, which computer had been exclusively by Plaintiff up to that time. At no time had Ericson had permission to access nor had she accessed Plaintiff's personal computer. On some prior occasions, Ericson had requested items to be printed from Plaintiff's computer for personal use and Plaintiff provided the printed materials to Ericson. Ericson had never been authorized to gain access to Plaintiff's personal computer and had never done so. On October 14, 2025, knowing she was not authorized to gain access to Plaintiff's personal computer, however, Ericson intentionally and secretly gained access to Plaintiff's personal computer, including his private Hotmail account, and accessed, reviewed, retrieved and intercepted Plaintiff's personal electronic data including email that was stored in the Hotmail account access and on Plaintiff's computer.
29. Ericson forwarded verbatim copies of many of Plaintiff's personal private emails to LeMay and others for "safekeeping" and to her own personal email for purpose of converting them to her own use, including for the purpose of affirmatively using the content of the intercepted emails in litigation against Plaintiff. Among the emails Ericson unlawfully accessed and copied for her own use were private, confidential emails between Plaintiff and his own domestic attorneys, some of which included analysis, legal advice and strategy for upcoming domestic litigation that had not yet been filed. This

interception and Ericson's use of the privileged and/or confidential information cannot be remedied by law and equitable relief for past unlawful access and interception is being sought in other litigation.

30. Forensic analysis of Plaintiff's computers and the secret audio device establish that Ericson's secret audio electronic eavesdropping of Plaintiff began on or before August 4th and 5th, 2025, and continued until the recording device was discovered on or about October 11, 2025. Forensic analysis has confirmed the existence of hundreds of secret audio recordings of Plaintiff, some of which reveal only one-sided conversations where Plaintiff is speaking on the telephone to third parties.
31. Once LeMay assisted Ericson in retaining a lawyer who was familiar with laws regarding illegal interception of electronic communications and had a demonstrated pattern of making use of such illegally obtained materials in litigation, Ericson provided her lawyers with copies of the illegally intercepted email communications wrongfully obtained from Plaintiff's Hotmail account.
32. Both Ericson and her lawyers have published and provided copies of Plaintiff's illegally intercepted emails in furtherance of the conspiracy by Ericson and Le May to financially damage Plaintiff for Ericson's benefit. Specifically, Ericson's lawyers published and distributed copies of the illegally obtained emails on April 27, 2026 in the domestic action.
33. Ericson has verified under oath on at least two occasions that she provided copies of Plaintiff's illegally intercepted emails to her domestic. This fact is undisputed.
34. This Complaint seeks damages from Ericson based on the unlawful interception by Ericson both of secret audio recordings from the hidden voice activated audio device she

secreted in Plaintiff's bedroom, as well as her unauthorized access to and interception of Plaintiff's private emails. Ericson has used and continues to use illegally obtained emails.

35. There is already pending against LeMay a civil action filed by Plaintiff through which Plaintiff seeks to obtain legal and equitable relief against LeMay for her part in the conspiracy against him. *Plaintiff v. Le May*, Case No. 2026-CP-26-05684 (hereafter *Plaintiff v Le May*).
36. Contemporaneously with the filing of this action, Plaintiff is filing a Motion to Consolidate this action with *Plaintiff v. Le May*, in the interests of judicial economy and in furtherance of justice.
37. Ericson has admitted in sworn testimony to the South Carolina Department of Employment and Workforce as well as in verified discovery responses in family court proceedings that she has intercepted Plaintiff's personal oral and electronic communications and provided copies both to Le May and to her lawyer for purposes of pursuing domestic relief against Plaintiff.

14 Did you -- it's basically been
15 asserted here today through the testimony and
16 suggested that you put a recording device in --
17 unknown to Mr. Axelrod, which recorded privileged
18 conversations which came out in the complaint filing
19 in the court with the Court of Appeals. Could you
20 respond to that?

21 A. Yes, that is true. (Pg. 50)

7 Q. Did -- were there recordings made by this
8 device when you were not present?

9 A. Yes. (Pg. 51)

9 Q. Okay. And did you -- did you purchase this
10 recording device specifically for this purpose?

11 A. Yes. (Pg.53)

25 Q. Ms. Ericson, when did you place the
1 recording device in Mr. Axelrod's bedroom? What
2 date?

3 A. I'm not sure.

8 Q. And who assisted you, if anyone in that
9 regard?

10 A. A friend of mine assisted me.
 11 Q. Was that Ms. Lemay (phonetic)?
 12 A. It was.
 13 Q. All right. Did Ms. Lemay have access to the
 14 recording device?
 15 A. She didn't have access, no.
 16 Q. Well, what did she have?
 17 A. She helped me with it. I didn't know
 18 anything about it.
 19 Q. Okay. So she assisted you in setting it all
 20 up?
 21 A. Yes. (pgs. 57-58)

Q. Let's see. Where did you purchase this
 9 recording device?

10 A. Amazon.

15 Q. All right. And when you placed it in the
 16 bedroom, was it your intent to record Mr. Axelrod
 17 without his knowledge?

18 A. Yes. (Pg.69)

Q. Ms. Ericson, you admitted in the Family
 4 Court proceeding that you intercepted Mr. Axelrod
 5 personal emails, did you not?

6 A. Yes.

7 Q. Okay. And you have provided copies of those
 8 emails to your lawyers and the domestic action; is
 9 that correct?

10 A. Yes. (Pg.67)

11 Q. All right. Ms. Ericson, did you not file an
 12 affidavit in response to your discovery responses in
 13 family court disclosing that you provided copies of
 14 all those emails to your attorneys?

15 A. Yes. (Pg.68)

38. Ericson filed domestic litigation against Plaintiff on December 8, 2025 through counsel making allegations that used content obtained from the illegally intercepted audio recordings and Plaintiff's intercepted private emails.³

39. In furtherance of the conspiracy between herself and Ericson, Le May has intentionally avoided and obstructed discovery in the domestic action in furtherance of secreting

³ Plaintiff is separately seeking certain equitable relief with respect to her past illegal interception of his audio and email communications by Ericson in the domestic proceedings, which are now stayed. *Axelrod v. Ericson*, Appellate Case No. 2026-001137, South Carolina Court of Appeals. By order dated September 1, 2026, the South Carolina Court of Appeals certified a limited inquiry to the family court to determine facts regarding the illegal interception, solely for purposes of determining the effect in the domestic litigation of Ericson's illegal conduct. The instant action does not seek any equitable relief in the pending domestic litigation. The equitable relief sought herein (and against Le May after consolidation of the instant action with *Plaintiff v. Le May*) is exclusively as to future illegal use of Plaintiff's illegally intercepted emails and audio recordings, as well as statutory damages against Ericson for her illegal interception of audio and email communications on a per-incident basis under the Electronic Communications Privacy Act and the Stored Communications Act.

evidence of the conspiracy between herself and Ericson as well as their unlawful acts and unlawful means.

40. On December 28, 2025, a subpoena for documents in the domestic action was personally served on Le May. A copy of the subpoena for documents was attached as Exhibit B to a Motion to Compel filed against Le May in *Plaintiff v. Le May* on September 9, 2026.⁴
41. Le May failed to respond to the subpoena in the domestic action. In response, counsel for Plaintiff sent a follow up letter to Le May via email and U.S. mail on February 6, 2026.
42. Having no response from Le May, counsel for Plaintiff in the domestic action filed a Motion to Compel on March 18, 2026.
43. On March 25, 2026, Le May contacted the law firm that issued the subpoena in the domestic case via email, stating that she was attempting to secure legal representation “in order to properly evaluate and respond to the requests made.” Le May requested “a reasonable extension of time to allow counsel to review the subpoena and advise on appropriate steps.”⁵
44. On March 27, 2026, counsel in the domestic action responded to Le May’s email by inviting her to promptly disclose the identity of her counsel to facilitate the overdue subpoena response. Counsel also pointed out that Le May had more than three (3) months to respond to the subpoena.

⁴ Le May has avoided service of documents in her in *Plaintiff v. Le May* by hiding in her house with lights turned off and by at least twice calling law enforcement to try to prevent service of documents upon her, including a copy of the Motion to Compel. All of Le May’s efforts to avoid service of process are in furtherance of the conspiracy between herself and Ericson.

⁵ Le May also asked Plaintiff’s domestic counsel “whether any motion to compel has already been filed.” Le May knew the motion had been filed, because she was served by certified mail with a copy of the motion on March 20, 2026, as reflected by document of record in *Plaintiff v. Le May*.

45. Despite having more than nine (9) months to do so, Le May has made no effort to respond to the lawful subpoena in the domestic case or to identify any counsel representing her.
46. Ericson's responses to discovery requests in the domestic litigation admit the intercepted emails were forwarded to Le May and others. In the answer to the seventh interrogatory in the domestic action, Ericson admits to accessing Plaintiff's personal email and forwarding it others for "safekeeping." The illegally obtained emails were identified individually and Ericson also produced verbatim more than thirty (30) of Plaintiff's illegally intercepted emails in Ericson's reply to the Requests to Produce in Family Court. Plaintiff is still investigating whether this was the extent of Ericson's breach of Plaintiff's emails.
47. Ericson also again admitted to using the audio recorder to secretly record Plaintiff in her Answers to Interrogatories.

7. From January 1, 2025, to present, have you or anyone at your direction accessed Defendant's email accounts or electronic devices? If so, please state when these accounts/devices were accessed, what emails or documents were reviewed or copied or forwarded, and identify any and all third parties which were sent information or documentation obtained from Defendant's email and identify what specific documentation or information was sent to said third-parties.

ANSWER: Yes, Plaintiff has accessed Defendant's email from the parties' home computer. Plaintiff forwarded certain emails to the witnesses listed above for safekeeping. See Responses to Interrogatory #6 and Request to Produce.

Plaintiff reserves the right to supplement this answer at a later date.

(PLAINTIFF'S ANSWERS TO DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFF).

8. Under the South Carolina Homeland Security Act successful interception, use and/or disclosure of intercepted communications are prohibited criminal acts and are punishable by statute. This action seeks statutory damages against Ericson based on the existing sworn testimony of Ericson, the discovery responses of Ericson in the domestic action, the metadata forensics, and forensic analysis that identifies the recordings of Ericson and Le May as well as such other and further facts as are determined by discovery in this proceeding. This action does not require examination into the actual content of the intercepted emails.

SECTION 17-30-20. Prohibited acts.

Except as otherwise specifically provided in this chapter, a person who commits any of the following acts is guilty of a felony and, upon conviction, must be punished as provided in Section 17-30-50 of this chapter:

- (1) intentionally intercepts, attempts to intercept, or procures any other person to intercept or attempt to intercept any wire, oral, or electronic communication;
 - (2) intentionally discloses or attempts to disclose to any other person the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subsection;
 - (3) intentionally uses or attempts to use the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subsection; (SC Code 17-30-20. Emphasis added).
9. The South Carolina Homeland Security Act contains a private right of civil action that affords the victims of violations of the Act a remedy of monetary liquidated damages, punitive damages, and reasonable attorney's fees and costs for each statutory privacy violation.

SECTION 17-30-135. Civil action for wrongful interceptions.

(A) Any person whose wire, oral, or electronic communication is intercepted, disclosed, or used in violation of this chapter has a civil cause of action against any person or entity who intercepts, discloses, or uses, or procures any other person or entity to intercept, disclose, or use the communications and is entitled to recover from the person or entity which engaged in that violation relief as may be appropriate, including:

- (1) preliminary or equitable or declaratory relief as may be appropriate;
- (2) actual damages, but not less than liquidated damages computed at the rate of five hundred dollars a day for each day of violation or twenty-five thousand dollars, whichever is greater, not to exceed the limits on liability provided in subsection (F)(3);
- (3) punitive damages, except as may be prohibited in subsection (F)(4); and
- (4) a reasonable attorney's fee and other litigation costs reasonably incurred.

10. The federal Stored Communications Act (18 USC §§ 2701-2713) criminalizes unauthorized access to electronic communications while they are in electronic storage in the server of an electronic communications service provider, such as Microsoft. All emails that Ericson accessed while intercepting Plaintiff's email were violations of the Stored Communications Act because Ericson lacked authorization or consent to access Plaintiff's personal email account.

18 U.S. Code § 2701 - Unlawful access to stored communications

(a) Offense.—Except as provided in subsection (c) of this section whoever—

- (1) intentionally accesses without authorization a facility through which an electronic communication service is provided; or
- (2) intentionally exceeds an authorization to access that facility; and thereby obtains, alters, or prevents authorized access to a wire or electronic communication while it is in electronic storage in such system shall be punished as provided in subsection (b) of this section.

...

18 U.S. Code § 2707 - Civil action

(a) Cause of Action

Except as provided in section 2703(e), any provider of electronic communication service, subscriber, or other person aggrieved by any

violation of this chapter in which the conduct constituting the violation is engaged in with a knowing or intentional state of mind may, in a civil action, recover from the person or entity, other than the United States, which engaged in that violation such relief as may be appropriate.

(b) Relief.

In a civil action under this section, appropriate relief includes—

- (1) such preliminary and other equitable or declaratory relief as may be appropriate;
- (2) damages under subsection (c); and
- (3) a reasonable attorney's fee and other litigation costs reasonably incurred.

(c) Damages.

The court may assess as damages in a civil action under this section the sum of the actual damages suffered by the plaintiff and any profits made by the violator as a result of the violation, but in no case shall a person entitled to recover receive less than the sum of \$1,000. If the violation is willful or intentional, the court may assess punitive damages. In the case of a successful action to enforce liability under this section, the court may assess the costs of the action, together with reasonable attorney fees determined by the court

11. The statutory damages for a violation of the Stored Communications Act are assessed for each email as a separate violation. In addition, for a willful violation punitive damages are assumed. In the Fourth Circuit punitive damages are typically awarded as one half of the statutory damages, so \$1,500 per email accessed without authorization or exceeding actual authorization. The number of emails "accessed" generally far exceeds the number of emails actually taken, as all the emails "accessed" includes emails read and not copied at a minimum.
12. Forensic analysis of the recorder from Plaintiff's bedroom showed it contained numerous .wav audio files dated between July 25, 2025, and October 11, 2025. Forensic analysis further revealed that the device had been attached to a Mac computer and that many of the previously recorded .wav files had been deleted. This indicates that the device was used to record audio, downloaded, erase, and was redeployed multiple times between

July and October 2025. Ericson is known to have iPads, and both she and her co-conspirator Le May uses Mac computers.

13. Plaintiff had a reasonable expectation of privacy and never consented to being recorded in his bedroom. There was no spousal exception for Ericson's interceptions of Plaintiff's electronic and oral communications
14. At all times relevant herein. Plaintiff had a Windows based desktop PC that he exclusively used for his personal electronic communications including legally privileged communications with his own attorneys. It was understood by Plaintiff and Ericson by the first week of August 2025 that they were headed to a divorce and any implied consent that may have existed by virtue of their marriage and/or part-time cohabitation had ceased.
15. Any possible implied spousal consent between Plaintiff and Ericson to access Plaintiff's electronic devices, electronic communications, or to listen to his oral communications based upon their marital status was rescinded as a matter of law once the parties became adversarial on or before the first week of August 2025.
16. At no time after Plaintiff told Ericson that he wanted a divorce (during the first week of August 2025), did Plaintiff give Ericson or anyone else express or implied permission to intercept or use his private electronic or oral communications or to disclose the contents of these communications. At no time did Plaintiff give Ericson or anyone permission to read, copy, or disclose the contents of his personal electronic devices, and desktop PC described above. At no time did Plaintiff give Ericson or anyone permission to access his Apple iCloud account, email account, or the contents stored therein.

17. At all times relevant herein Plaintiff had the ability to send and receive private text messages and emails on his cell phone, and computers.
18. At no time after Plaintiff and Ericson became adversarial in August 2025 did Plaintiff give anyone permission to access, use, or disclose his private text messages or emails. Plaintiff and the persons with whom he was conversing privately had no knowledge that they were being recorded, nor had they consented to being recorded. Plaintiff had a reasonable expectation of privacy in his bedroom, and in his home, and elsewhere, as well as a reasonable belief that his conversations were private and were not being recorded. The Fourth Circuit has expressly held that there is no implied exception for electronic surveillance conducted between spouses, meaning interspousal wiretapping and bugging are fully prohibited under Federal law. *Schiff v. Kennedy*, 691 F.2d 196 (4th Cir. 1982). South Carolina's Homeland Security Act, codified at S.C. Code Ann. § 17-30-30 et seq., similarly regulates the interception of oral communications. Under general rules of statutory construction, a jurisdiction adopting legislation from another jurisdiction imports with it the judicial gloss interpreting that legislation. *State v. Whitner*, 399 S.C. 547, 732 S.E.2d 861 (2012). Federal courts interpreting Title III have recognized the vicarious consent doctrine, allowing a parent to consent on a minor child's behalf if done in good faith and for the child's best interests. *Kroh v. Kroh*, 152 N.C. App. 347, 567 S.E.2d 760 (2002). However, this doctrine is strictly limited to protecting minors and does not extend to surreptitious recording of an adult spouse, particularly one who is adverse to the victim. In assessing whether an interception violates Title III, courts evaluate the reasonableness of the actual interceptions in light of the purpose and the totality of the circumstances. *Scott v. United States*, 436 U.S. 128, 98 S. Ct. 1717 (1978). Legislative history confirms that Congress specifically intended Title III to encompass

acts of wiretapping incident to divorce litigation, which was one of the primary areas in which private electronic surveillance was widespread. *Nalley v. Nalley*, 53 F.3d 649 (4th Cir. 1995). While *Lovisi* addressed the forfeiture of privacy when spouses invited an observer into their bedroom, the holding affirms the foundational principle that privacy attaches to the marital bedroom. *Lovisi v. Slayton*, 539 F.2d 349 (4th Cir. 1976). Plaintiff did not invite any third party into his bedroom during his communications. Plaintiff was alone, and his expectation that his oral communications would remain private was objectively reasonable. The ongoing domestic proceedings do not defeat this privacy interest. Plaintiff continued to reside lawfully in the home until he was assaulted by Ericson and her co-conspirator on November 29, 2025. Nothing in Fourth Circuit precedent suggests that initiating divorce proceedings converts a bedroom into a space where neither party may claim privacy when alone. To the contrary, each spouse retains individual privacy rights in spaces within the home when they occupy those spaces without the other spouse present. The Supreme Court has emphasized that a person's expectation of privacy does not require perfect certitude that it is being respected at all times. *Rakas v. Illinois*, 439 U.S. 128, 99 S. Ct. 421 (1978). Plaintiff's awareness that Ericson had access to the bedroom did not mean he forfeited all privacy when she was not present. Access rights do not equal surveillance rights. The fact that Ericson could enter the bedroom did not grant her the right to electronically monitor the Plaintiff's communications when he was alone in that space. Plaintiff did not invite Ericson or her co-conspirator into his bedroom during his private conversations. Ericson's surreptitious recording of Plaintiff's communications constituted an illegal interception under both Federal law and South Carolina's wiretap statute. Ericson's conduct—concealing a device, recording without consent, and intercepting communications to which they were

not a party—violates the core privacy protections Title III was designed to enforce. The totality of the circumstances confirms the unreasonableness of the interception: the recording occurred in the most private space of the home, targeted a person with a high expectation of privacy, and involved no legitimate law enforcement purpose or parental protection rationale.

19. Plaintiff had the same reasonable expectation of privacy as to his personal, private email account and his home computer as he did in his oral communications. Plaintiff had no prior knowledge and never consented to Ericson's access and copying his privileged and confidential electronic communications. The covert and intentional access of Plaintiff's email by Ericson was completely unauthorized and in violation of the Stored Communications Act and, where interceptions occurred, the South Carolina Homeland Security Act.
20. Tortious acts against Plaintiff committed by Ericson included trespass to chattels, invasion of privacy, and civil conspiracy.
21. Ericson trespassed Plaintiff's chattels by obtaining and retaining copies of Plaintiff's electronic communications including personal and attorney client privileged emails without his consent.
22. Ericson invaded Plaintiff's privacy by eavesdropping and/or attempting to eavesdrop on his private conversations using the audio recording device that Ericson secreted in Plaintiff's bedrooms without his knowledge or consent.
23. Ericson also invaded Plaintiff's privacy by accessing and reading Plaintiff's private and attorney client privileged electronic communications without his consent and using those

ill-gotten electronic and oral communications in the conspiracy allowing Ericson to gain an advantage in the marital litigation between Plaintiff and Ericson.

24. At no point has Ericson returned Plaintiff's intercepted oral communications and emails that Ericson is still using, including Plaintiff's stored electronic communications including his attorney client privileged communications and are still using Plaintiff's intercepted oral communications.
25. Plaintiff brings this action pursuant to the South Carolina Homeland Security Act, S.C. Code Ann § 17-30-10, et seq., the Electronic Communications Privacy Act, 18 U.S.C. § 2510-2522, the Stored Communications Act, 18 U.S.C. § 2701-2712, as well as Invasion of Privacy/Wrongful Intrusion, Trespass to Chattels, Outrage, and Civil Conspiracy.

FOR A FIRST CAUSE OF ACTION

(Violations of the South Carolina Homeland Security Act and
The Electronic Communications Privacy Act)

26. All allegations elsewhere in this Complaint are alleged herein as if repeated verbatim.
27. Plaintiff brings this cause of action pursuant to the South Carolina Homeland Security Act, S.C. Code Ann § 17-30-10, et seq., and Title I of the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2522.
28. The State Act substantially mirrors the Federal Act in its prohibitions of electronic eavesdropping and the interception of electronic communications. Both acts allow for a private right of action to victims of a violation of the acts. The State Act allows for substantially higher liquidated damages.
29. S.C. Code Ann. § 17-30-10 et seq., which is South Carolina's version of Title I of the Electronic Communications Act, makes it unlawful for a "person" to intercept electronic, oral, and wire communications.

30. Plaintiff's personal electronic and oral communications have been intercepted, intentionally accessed/recorded, disseminated, and used without his authorization in violation of the foregoing chapters and brings this civil cause of action against the Ericson, who accessed, intercepted, disseminated, used, and procured Plaintiff's private electronic and oral communications.
31. Plaintiff further alleges that Ericson and Le May, using a hidden voice activated audio recorder secreted in Plaintiff's bedroom eavesdropped on Plaintiff and made audio recordings of Plaintiff without his knowledge or consent, and Ericson used and disseminated said recordings in furtherance of Ericson and Le May's plot to irreparably damage Plaintiff's reputation and to gain an advantage in the pending domestic action.
32. Based thereon, Plaintiff is entitled to an immediate Order and injunction restraining Ericson and her agents, from any further dissemination or use of Plaintiff's private electronic communications, and any covertly obtained audio recordings of Plaintiff.
33. Pursuant to §§ 17-30-10 et seq. and 17-30-135 of the 1976 Code of Law, State of South Carolina, as amended, Plaintiff is further entitled to an award of actual damages against Ericson, but not less than liquidated damages computed at the rate of \$500.00 per day for each day of violation or \$25,000.00, whichever is greater, alleging that, upon information and belief, from the date of the first interception, disclosure continues upon the public records and elsewhere through this date and this Plaintiff is entitled damages at the rate of \$500.00 per day for every day on which the foregoing records continue to be used and disclosed. Pursuant to the holding in *DirecTV, Inc. v. Galasso*, No. 3:04CV00055, 2005 U.S. Dist. LEXIS 3078 (W.D. Va. Feb. 24, 2005). Plaintiff may be entitled to a separate damage award for each covert device secreted in his home, at the

discretion of the Court. Plaintiff would be entitled to at least minimum statutory damages of \$25,000. Further discovery will be conducted to arrive at the total damages resulting from Ericson.

34. Based on the holding in *DirectTV v. Galasso*, Plaintiff believes that he should be entitled to separate damage awards against Ericson for the “interception,” “use,” and “disclosure” of his intercepted oral communications, and a separate damage award for his intercepted electronic communications. This would bring the minimum statutory damages awarded against Ericson to \$100,000.
35. Plaintiff is additionally entitled to punitive damages in an amount to be established by the Court, due to Ericson’s intentional and willful violation of the Homeland Security Act, together with a reasonable attorney’s fee and other litigation costs reasonably incurred and such other legal and equitable relief as the Court deems just and proper.

FOR A SECOND CAUSE OF ACTION
(Violation of the Stored Communications Act)

36. All allegations elsewhere in this Complaint are alleged herein as if repeated verbatim.
37. *18 U.S.C § 2701 et. seq.* sets forth that whoever intentionally accesses without authorization a facility through which an electronic communication service is provided or intentionally exceeds an authorization to access that facility and thereby obtains, alters, or prevents authorized access to wire or electronic information while it is in electronic storage in such system shall be punished as provided in subsection (b) of that section.

38. The Stored Communications Act also makes it unlawful for anyone to intentionally access without authorization a facility through which an electronic information service is provided.
39. Plaintiff is informed and believes based on the testimony and discovery responses of Ericson and her admitted coordination with third parties including her domestic counsel in these acts that accessed and obtained Plaintiff's electronic communications from his email account. Ericson actively participated in the unlawful access and theft of Plaintiff's confidential and attorney privileged electronically stored communications while in electronic storage at an electronic information service provider. Additionally, Plaintiff alleges that Ericson's use of this unlawful access to Plaintiff's stored electronic communications to gain an advantage in the domestic action between Plaintiff and Ericson and to cause actual and emotional damages to Plaintiff, and she has succeeded.
40. Under § 2707 of the Stored Communications Act the Court may assess as damages in a civil action an amount equal to the sum of the actual damages suffered by Plaintiff and any profits made by the violator as a result of the violation, but in no case shall Plaintiff be entitled to recover or receive less than the sum of \$1,000 per access of his electronic communications. When the violation is willful or intentional, as it was here, the Court may assess punitive damages. In the case of a successful action to enforce liability under this section, the Court may assess the costs of the action, together with reasonable attorney fees determined by the court.
41. Therefore, Plaintiff believes he is entitled to \$1,000 damages against Ericson for each and every violation of this Act (each email accessed from the email account) and punitive damages for Ericson's willful and intentional conduct. Further discovery from

Ericson and further forensic examination of Plaintiff's computer and email account can determine the precise number of violations of the Act that Ericson committed, and the exact dollar amount of liquidated damages due to Plaintiff as a direct and proximate result of Ericson's actions. Additionally, Plaintiff believes he is entitled to recover costs and reasonable attorneys' fees against Ericson as provided by the Act.

FOR A THIRD CAUSE OF ACTION

(Invasion of Privacy – Publicizing of Private Affairs)

42. All allegations elsewhere in this Complaint are alleged herein as if repeated verbatim.
43. Ericson publicized matters that are private to Plaintiff. The disclosure of these confidential and legally privileged electronic communications and audio recordings of Plaintiff's private oral conversations would be highly offensive to a reasonable person and is not of legitimate public concern. Further, Plaintiff did not consent to the disclosure of his confidential electronic communications or the recordings of his private conversations.
44. As a result of Ericson's actions as a crucial part of the conspiracy with Ericson, Plaintiff has suffered damages and should be awarded actual and punitive damages against Ericson, together with such other legal and equitable relief as the Court deems just and proper.

FOR A FOURTH CAUSE OF ACTION

(Invasion of Privacy – Wrongful Intrusion and Outrage)

45. All allegations elsewhere in this Complaint are alleged herein as if repeated verbatim.
46. Ericson's use of a hidden audio device to record Plaintiff without his knowledge or consent in his private bedroom constituted a wrongful intrusion into his privacy in a location where Plaintiff had a legitimate expectation of privacy recognized by society.

47. Ericson's wrongful intrusions consisted of eavesdropping, spying, and prying into Plaintiff's private affairs.
48. The wrongful intrusions concerned those aspects of Plaintiff, his personal relationships, and communications which one normally expects to be free from exposure by Ericson, her co-conspirators and her agents.
49. Ericson's conduct was intentional, substantial, and unreasonable, and was of a nature that would cause mental injury to a person of ordinary feelings and intelligence in the same circumstances. Plaintiff has suffered a mental injury / outrage as a result of his discovery of Ericson's covert recording device and Ericson's publishing of these covert recordings and stolen emails in allegations contained in Ericson's domestic complaint.
50. As a direct and proximate result of Ericson's actions, Plaintiff has suffered damages and should be awarded actual and punitive damages against Ericson, together with such other legal and equitable relief this Court deems just and proper.

FOR A FIFTH CAUSE OF ACTION

(Trespass to Chattels)

51. All allegations elsewhere in this Complaint are alleged herein as if repeated verbatim.
52. Ericson took both electronic chattels, in the form of Plaintiff's private emails, and used without consent (trespassed) certain electronic devices of Plaintiff including his desktop computer and its accessible storage which are Plaintiff's physical chattels.
53. Ericson conspired with Le May who participated with Ericson in the unauthorized access and copying of Plaintiff's electronic communications including the data from his email account and desktop computer without Plaintiff's knowledge or consent, thus trespassing his electronic and physical chattels. Plaintiff's email account was accessed

without Plaintiff's knowledge or consent to send copies of his confidential and legally privileged email to Le May and her domestic counsel (among others), and both held in "safe keeping" for Ericson. Plaintiff's desktop computer, his email Account, and his emails in the electronic account are all examples of Plaintiff's chattels (intellectual and physical property). The unauthorized transmission of data over Plaintiff's email account from Ericson to her co-conspirator was another trespass to Plaintiff's chattels.

54. Plaintiff has been deprived exclusive use and access to these electronic, intellectual, and physical chattels by Ericson.
55. Mounting the unauthorized intrusion of Plaintiff's email account required considerable knowledge of the inner workings of communications and computing infrastructure and skill in circumventing the safeguards employed to protect said infrastructure and the data contained therein. While Ericson personally lacked this knowledge or expertise, her co-conspirator Le May provided this expertise to Ericson to facilitate the intrusion into Plaintiff's private email. Using the assistance provided by Le May, Ericson willfully and intentionally made successful intrusions, accesses, and interceptions are proof in themselves of the willfulness and intentional nature of Ericson's conduct in depriving this Plaintiff of his chattels and violating S. C. Code § 17-30-20.
56. The unauthorized access of Plaintiff's online communications by Ericson using Le May's knowledge and expertise was an intentional act designed to deprive Plaintiff of access to his online resources that were required to conduct private electronic communications in his personal life and legal practice. Additionally, Ericson accessed Plaintiff's attorney client privileged communications, giving Ericson an unfair advantage in the domestic action Ericson instigated against Plaintiff.

57. Plaintiff is entitled to actual damages, but not less than nominal damages and, if the conduct was willful, punitive damages against Ericson's actual damages include the cost of his digital forensics examiner and private investigator needed to investigate the trespass and to assess the security breach of his legally privileged communications. Punitive damages are called for in this case because Ericson's trespass to Plaintiff's chattels was willful.

FOR A SIXTH CAUSE OF ACTION
(Civil Conspiracy)

58. All allegations elsewhere in this Complaint are alleged herein as if repeated verbatim.
59. Ericson and Le May jointly engaged in the attempted illegal interception of Plaintiff's oral communications and email account which was intended to be used as the basis of accusations made against Plaintiff in domestic proceedings initiated by Ericson. Ericson admitted under oath that her co-conspirator together "intercepted" Plaintiff's Oral and Electronic communications. Accessing and copying the email required Ericson to trespass Plaintiff's chattels including his desktop PC, Hotmail account, and the emails that were contained in his email account. Publishing the contents of Plaintiff's trespassed emails, and intercepted oral communications in Ericson's domestic litigation invaded Plaintiff's privacy causing him damages for the Invasion of Privacy and Outrage. As a result of Ericson's coordinated illegal and tortious conduct, Plaintiff ultimately had to fight for the suppression of his illegally intercepted communications and Ericson's Complaint, which was itself a derivative work from the illegal interceptions, requiring Plaintiff to hire legal counsel and experts.
60. The elements of civil conspiracy in South Carolina were recently clarified by the South Carolina Supreme Court in *Paradis v. Charleston County School District*, 433 S.C. 562,

861 S.E.2d 774 (SC 2021). The *Paradis* court held, “a plaintiff asserting a civil conspiracy claim must establish (1) the combination or agreement of two or more persons, (2) to commit an unlawful act or a lawful act by unlawful means, (3) together with the commission of an overt act in furtherance of the agreement, and (4) damages proximately resulting to the plaintiff.” (861 S.E.2d 780).

61. South Carolina code § 16-3-1700 defines harassment and stalking in this state.

“As used in this article:

(A) *"Harassment in the first degree" means a pattern of intentional, substantial, and unreasonable intrusion into the private life of a targeted person that serves no legitimate purpose and causes the person and would cause a reasonable person in his position to suffer mental or emotional distress. Harassment in the first degree may include, but is not limited to:*

(1) following the targeted person as he moves from location to location;

(2) visual or physical contact that is initiated, maintained, or repeated after a person has been provided oral or written notice that the contact is unwanted or after the victim has filed an incident report with a law enforcement agency;

(3) *surveillance of or the maintenance of a presence near the targeted person's:*

(a) *residence;*

(b) *place of work;*

(c) school; or

(d) another place regularly occupied or visited by the targeted person; and

(4) vandalism and property damage.” (SC Code 16-3-1700, *Emphasis added*).

62. The audio recordings which captured Ericson and Le May doing a test recording while setting up the secreted audio device in Plaintiff's bedroom on October 1, 2025, Ericson's testimony at the unemployment hearing on June 9, 2026, and Ericson's answers to interrogatories in the divorce action clearly establishes that Ericson and her co-conspirator acted in concert to place the audio device to secretly capture Plaintiff's conversations in his bedroom (an oral interception). This is prima facie evidence of Ericson's willful violations of both the South Carolina Homeland Security Act and the

Electronic Communications Privacy Act's prohibitions on the eavesdropping on oral communications, and the conspirator's first-degree harassment by maintaining surveillance of Plaintiff in his residence.

63. The testimony and discovery responses by Ericson admitting that she "intercepted" Plaintiff's privileged email account and sent copies of the emails from his computer to her co-conspirator for "safe keeping" establishes that Ericson conspired with her co-conspirator to access and obtain copies of Plaintiff's confidential email account, including multiple privileged documents from or to his divorce attorneys, to give Ericson an unfair advantage in the domestic litigation that she filed against Plaintiff.
64. Because of the stress of these privacy invasions by Ericson, Plaintiff was placed at an unfair disadvantage in the domestic litigation filed by Ericson. This resulted in an as yet unknown but substantial financial loss to Plaintiff in excess of \$5,000.00.
65. As a result of Ericson's and Le May's coordinated harassment, trespasses, and active successful attempts to illegally eavesdrop on Plaintiff's oral and electronic communications, Plaintiff has suffered great financial damages for which he is entitled to be compensated by an award against Ericson.
66. Plaintiff's proximate damages from Ericson's and Le May's conspiracy include the cost of his living expenses since November 28, 2025, the cost of his legal bills and expert fees, expert witness/forensic fees and his business losses), all of which continue to accrue at this time.
67. Ericson's willful, brazen, illegal and tortious acts that constituted the conspiracy against Plaintiff justify punitive damages, and Plaintiff therefore seeks an award of punitive damages.

THIS COURT'S POWER TO GRANT RELIEF

68. This Court has the equitable powers and statutory remedies under the various statutes to grant injunctive relief from Ericson's continuing misconduct, including any future interception and disclosure of Plaintiff's electronic communications, and the use and dissemination of Defendant's illegally made audio recordings of Plaintiff, other than with respect to Ericson's past unlawful use of intercepted emails and audio recordings in the domestic litigation, jurisdiction of which lies exclusively with the South Carolina Court of Appeals.
69. This Court has statutory authority under South Carolina Code of Laws §17-30-135 to award Plaintiff actual damages against Ericson, not less than liquidated damages of \$25,000.00 per violation, plus punitive damages, and reasonable attorneys' fees and court costs for the interception of Plaintiff's electronic communications.
70. This Court has statutory authority under South Carolina Code of Laws §17-30-135 to award Plaintiff actual damages, not less than liquidated damages of \$25,000.00, per violation, plus punitive damages, and reasonable attorneys' fees and court costs for against Ericson for the eavesdropping interception of Plaintiffs' oral communications recorded on the hidden audio device that Ericson and her co-conspirator assisted in secreting in Plaintiff's bedroom.
71. This Court has the statutory authority under the Stored Communications Act (18 USC 2701 et seq.) to award Plaintiff statutory damages of \$1,000 per incident against Ericson for each unauthorized access to Plaintiff's stored electronic communications. For willful violations this Court can and should award punitive damages in addition to statutory damages against Ericson.

72. This Court has the equitable powers and statutory remedies to award damages to Plaintiff for the invasions of privacy - publicizing private affairs, invasion of privacy - wrongful intrusion, and outrage including actual and punitive damages against Ericson together with such other equitable and reasonable relief as the Court deems just and proper.
73. This Court has the equitable powers and legal remedies to award damages to Plaintiff for the many forms of financial, emotional, and tangible and intangible property injury that he has endured as a result of the civil conspiracy that Ericson perpetrated against Plaintiff.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests that this Court pursuant to its own equitable and legal powers:

- A. Enter an Order enjoining Ericson and her agents preliminarily and permanently from any further intrusion into Plaintiff's internet accounts and stored communications and/or interception of Plaintiff's electronic and oral communications.
- B. Award Plaintiff actual, not less than statutory, liquidated damages, and punitive damages against Ericson for Ericson's unauthorized and illegal interception of Plaintiff's electronic communications and oral communications.
- C. Award Plaintiff the greater of statutory or actual damages, punitive damages, reasonable attorney fees and costs against Ericson for the many violations of the Stored Communications Act.
- D. Award actual and punitive damages to Plaintiff against Ericson for the invasion of privacy - publicizing of private affairs, the invasion of privacy - wrongful intrusion and outrage.

- E. Award Plaintiff judgment for reasonable attorneys' fees and the costs of bringing this action, as well as such other and additional relief as the Court may determine to be just and proper, against Ericson.

Respectfully submitted,

/s/ Desa Ballard
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September 15, 2026

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May 14, 2026

VIA HAND DELIVERY AND EMAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RE: Carla L. Ericson v. Stuart M. Axelrod
Appellate Case No.: _____
Family Court Docket No.: 2025-DR-26-2774

Dear Ms. Kitchings:

Please find enclosed an original and one (1) copy of a ***Motion to Suppress Electronic/Oral Communications*** in connection with the above referenced matter which I am submitting for filing with your office, together with my firm's check in the amount of \$50.00 tendered as payment of the associated filing fee. After the copy has been filed, please return the file stamped copies to my office via my courier.

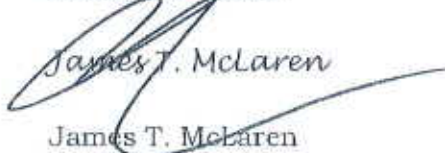
By copy of this correspondence, I am herewith serving a copy of the ***Motion to Suppress Electronic/Oral Communications*** upon counsel for Respondent Carla Ericson, Heather Smith von Herrmann and Alexandra Varner, by email.

Please do not hesitate to contact me if you have any questions or concerns regarding this matter.

With kindest regards, I am

Very Truly Yours,

MCLAREN & LEE


James T. McLaren

*FELLOW, AMERICAN ACADEMY OF MATRIMONIAL LAWYERS
*FELLOW, INTERNATIONAL ACADEMY OF FAMILY LAWYERS
†DIPLOMATE, AMERICAN COLLEGE OF FAMILY TRIAL LAWYERS

JTM/jmc

Enclosures

cc: Stuart M. Axelrod, Esquire, w/ enclosure, *via email*
Heather Smith von Herrmann, Esquire, w/ enclosure, *Via Email Only*
Alexandra D. Varner, Esquire, w/ enclosure, *Via Email Only*
Steven M. Abrams, Esquire, w/ enclosure, *Via Email Only*
Richard G. Whiting, Esquire, w/ enclosure, *Via Email Only*

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Family Court

Civil Action Court Case No. 2025-DR-26-2774

Appellate Case No. _____

Stuart M. Axelrod,

Petitioner,

v.

Carla Ericson,

Respondent.

MOTION TO SUPPRESS ELECTRONIC/ORAL COMMUNICATIONS

This matter comes before the Court on behalf of Stuart M. Axelrod, Petitioner herein (the Defendant in the pending Family Court action for Horry County) by and through his undersigned counsel, who would show unto this Court, pursuant to Rule 240, SCACR, and Court News as posted and denoted as 2020-03-20-01, and S. C. Code Ann. § 17-30-110, that the relief requested here should be granted. Petitioner moves before this Court for an Order to suppress certain electronic and oral communications between Petitioner and non-parties and between Petitioner and his counsel of record in the Family Court action, based upon information and belief, his counsel of record in the pending Family Court action.

Petitioner makes this Motion on the following grounds:

1. Petitioner was made aware in Respondent's discovery responses that she had accessed and was in possession of his electronic communications without his knowledge or

consent, and that some of these electronic communications were attorney-client privileged emails between Petitioner and his counsel of record in this Family Court matter. Initial forensic analysis of these accesses of Petitioner's email account and the privileged emails in Respondent's possession indicates that interceptions of these electronic communications occurred. In addition, Petitioner's housekeeper found a voice activated recording device secreted in Petitioner's bedroom, and Respondent's discovery responses admit that she placed it there to record Petitioner's oral communications without his knowledge or consent. Preliminary forensic analysis of this device (an AFFETUNE 128GB voice recorder) indicates that it contains hundreds of audio recordings made in Petitioner's private bedroom between June 19, 2025, and October 10, 2025. This five months was plenty of time for Respondent to listen to and/or copy the incrementally made voice recordings many times throughout the period. Forensics analysis confirms that over 290 recordings were in fact copied off of the recording device to an Apple Mac computer over time, and the recording device was reused to collect more intercepted oral communications. It is believed based on the forensics that Respondent is in possession of nearly 200 of these intercepted audio communications. Among the intercepted oral communications captured by the hidden recording device were legally privileged conversations between Petitioner and his legal clients. See the attached affidavit of Petitioner's Forensics Examiner, Christopher J. Watkins attached hereto as Exhibit "A". Attached hereto as Exhibit "B" is the Petitioner's Affidavit setting down his account of the housekeeper's discovery of the hidden voice recorder, and his response to the Respondent's Discovery answers which clearly shows that the Respondent willfully intercepted both oral and electronic communications. Respondent did so by use of the hidden recording device described above and by accessing without authorization petitioner's personal web-based email account and thereby acquired at least 50 highly confidential and privileged emails, including attorney client privileged emails between

petitioner and his counsel of record in this matter. At least one of these attorney-client privileged emails was acquired by Respondent contemporaneously when it was sent to Petitioner's counsel.

2. It is unknown when exactly the misconduct of Respondent began or ended. As stated hereinabove, Petitioner became aware of these intercepted communications when Housekeeper found the recording device and subsequently when Respondent admitted to having placed the device in Petitioner's bedroom, and when Respondent admitted to having at least 50 of petitioner's highly confidential and privileged electronic communications in her possession in her Discovery responses in the Family Court matter.

3. The actions of Respondent are clearly a violation of the Electronic Communications Privacy Act, Stored Communications Act, the Computer Fraud and Abuse Act, and, based upon information and belief, include the interceptions of certain electronic and/or oral communications between Petitioner and non-party individuals. Petitioner is informed and believes that Respondent has gone so far as to attempt to utilize these illegally intercepted oral and electronic communications by utilizing them to assist her pre-litigation investigations and as the basis for allegations in her Complaint in the Family Court action.

4. Counsel for Petitioner would submit that on its face the actions of Respondent in intercepting oral and electronic communications between Petitioner and non-parties is in violation of federal law, specifically U.S. Code Ann., 18 U.S.C.A. § 2511 (1) and the disclosure of the contents of these electronic communications pursuant to 18 U.S.C.A. § 2515 would subject the violator to both criminal and civil sanctions as provided for in those code provisions, thereby subjecting the violator and/or anyone who further transmits the information to up to five (5) years imprisonment or a fine. Further, 18 U.S.C.A. § 2515 specifically prohibits the use of these recorded conversations or the use of any evidence of intercepted wire or oral communications in "... any trial, hearing, or other proceeding in or before any Court, ... of the

United States, a state, or a political subdivision thereof if the disclosure of that information would be in violation of this chapter” as well as the corresponding state statute as addressed hereinbelow.

5. South Carolina law similarly forbids under S.C. Code Ann. § 17-30-20 the intentional interception, attempt to intercept, or disclosure to any person the contents of any wire, oral, or electronic communication knowing or having reason to know that the information was obtained by the interception to be punishable by a fine of up to \$5,000.00 and imprisonment of not more than five (5) years. South Carolina law similarly under S.C. Code Ann. § 17-30-65 forbids the admissibility or use of the contents of such intercepted communication or the fruits thereof.

6. The actions of Respondent have left no option to Petitioner but to seek an Order of this court suppressing the use and dissemination of the content of these electronic and oral communications in any proceedings including the pending proceeding herein. Further, Petitioner believes that Respondent’s actions resulted in the necessity of filing this Motion to Suppress and Petitioner seeks an award of reasonable attorney’s fees and costs for the necessity of this motion.

For these reasons and such further reasons as may appear at any hearing to be set on the matter, Petitioner hereby moves for a hearing to be held by this Court, if needed following this Court’s review of this Motion and attachments, as required by S. C. Code Ann. § 17-30-110, *et seq.*, and U. S. Code Ann., 18 U.S.C.A. § 2511, *et seq.*, and appropriate rulings made as to the intercepted communication(s) and that in the interim, any action by the trial court below be stayed in addition to an Order requiring the immediate listing of and disclosure of all documents and/or records concerning the interception of electronic communications of Petitioner, plus, such other action, rulings, and other relief as may be appropriate in this matter, including but not limited to, an award of attorney’s fees, costs and expenses. Petitioner’s counsel affirm to this

Court that they have, by copy of this Motion, notified Family Court counsel for Petitioner, all counsel of record for the Respondent in the Family Court action, and the Court below.

Petitioner also moves for an order of this Court requiring the lower Court to segregate and seal the unlawfully obtained communications and derivative works and any pleadings or evidence that has been gleaned from the use of said communications. Petitioner believes that information should be separated in the Court's file prohibiting review of said information by the Court, either party, or the public.

Respectfully submitted,

/s Richard G. Whiting
Richard G. Whiting, Esquire
Attorney for Petitioner
SC Bar No. 6078
611 Calhoun Street
Fernandina Beach, FL 32034
803.256.9067
dick.whiting@whitinglawsc.com

/s Steven M. Abrams
Steven M. Abrams, Esquire
Attorney for Petitioner
SC Bar No. 76230
1154 Holly Bend Drive
Mount Pleasant, SC 29466
843.813.1996
steve@abramscyberlaw.com

/s James T. McLaren
James T. McLaren, Esquire
McLaren & Lee
Attorney for Petitioner
SC Bar No. 3867
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Columbia, South Carolina 29211-1809
(803)799-3074
jmcclaren@mclarenandlee.com

/s/ Joshua M. Calder
Joshua M. Calder, Esquire
Calder Law Firm, LLC
Attorney for Petitioner
SC Bar No. 100563
1227 16th Avenue, #106
Conway, South Carolina 29526
(843) 446-7439
josh@calder-law.com

Date: May 14, 2026

Other Counsel of Record:

Heather S. von Herrman, Esquire
von Herrmann Law Firm
212 Elm Street
Conway, South Carolina 29526
Phone: (803) 488-1030
hvh@vhlf.pro
Attorney for Respondent

Alexandra D. Varner, Esquire
Varner Family Law
814 Johnnie Dodds Blvd, Suite 103
Mount Pleasant, SC 29464
Phone: (843) 606-3038
alex@varnerfamilylaw.com
Attorney for Respondent

Exhibit A

**STATE OF SOUTH CAROLINA
COUNTY OF HORRY**

**IN THE FAMILY COURT
FIFTEENTH JUDICIAL CIRCUIT**

CARLA ERICSON

Plaintiff,

vs.

STUART M. AXELROD

Defendant.

Case: 2025-DR-26-2774

AFFIDAVIT OF

CHRISTOPHER J. WATKINS

PERSONALLY APPEARED before me Christopher J. Watkins, who, having been first duly sworn, deposes and states the following on personal knowledge:

- 1.** My name is Christopher James Watkins. I have personal knowledge of the facts set forth in this affidavit and am competent to testify about them.
- 2.** I am a SLED Licensed Investigator, and I have an educational background in Computer Science, Information Technology, Computer Programming, and Systems Engineering for Hardware and Software. I am recognized as a Certified Forensic Computer Examiner (CFCE) and a Certified Mobile Device Examiner (CMDE) by the International Association of Computer Investigative Specialists (IACIS), which is, in turn, accredited by the Forensic Specialties Accreditation Board (FSAB). The FSAB is an independent organization established to accredit professional bodies that certify forensic scientists. I am also an associate member of the IACIS and a member of the American Society of Digital Forensics & eDiscovery.
- 3.** Since 2010, I have worked as a Licensed Private Investigator in South Carolina. From 2010 to 2016, I worked as a South Carolina Law Enforcement Division (SLED)-licensed investigator for Stilling Investigations. In 2016, I founded Watkins Digital Forensic & Investigations, which I operated until December 2018. In January 2019, I founded Certified Computer Forensics, LLC, which I continue to own and operate. In these positions, I have completed hundreds of digital forensic investigations involving computer systems, computer networks, servers, and various cellular and digital devices. These investigations involved the disciplined use of specialized methods and techniques, adhering to the

scientifically accepted standards and practices for recovery, authentication and analysis of electronically stored information, reconstruction of digital device usage, examination of residual data, authentication of data by technical analysis, and explanation of technical features of data and device usage.

4. Since 2014, I have been qualified thirty-six (36) times as an expert in matters of Digital Forensic Science in the South Carolina Family Court, General Sessions Court, and Court of Common Pleas, and in the United States District Court for the District of South Carolina.
5. On January 6, 2026, at approximately 1:18 PM, a small digital audio recording device that I am informed had been recovered from the bedroom of Mr. Axelrod was delivered to my office at 1416 Park Street, Columbia, South Carolina, by Pete Skidmore, Sr. The device was signed into custody at the time of receipt by Katie McClaran, who is one of the office assistants and was authorized to accept custody on my behalf. Following intake, the device was secured in a locked storage room within my office, where it remained continuously until January 12, 2026. On January 12, 2026, at approximately 10:56 AM, Ms. McClaran signed custody of the device over to me, and the device has remained in my exclusive custody since that time, secured in a locked storage container under my sole control. I assigned the device the evidence number 26-47281-D001-ADAR within case 26-47281-Axelrod.
6. The only marking visible on the exterior of the device is a small silver hologram sticker bearing the text "128GB." No brand name, model number, or serial number is printed, molded, or otherwise visible on the exterior of the device itself. I identified the device as an Affetuni MC-01 magnetic voice recorder by reference to (a) a screenshot of the device's product listing on Amazon.com (provided by Mr. Skidmore when he turned over the device), which identified the manufacturer of the device as Affetuni, and (b) a user manual for the Affetuni MC-01 obtained from publicly available online sources, the product photographs, dimensions, controls, and stated specifications of which match the device I received as evidence.
7. On May 11, 2026, I created a forensic image of the device using AccessData FTK Imager version 4.7.1.2. The imaging process began at approximately 12:57 PM and was completed

at approximately 5:09 PM on the same date, and produced a verified bit-for-bit (physical) copy of the entirety of the device's internal storage. The integrity of the forensic image was confirmed by computing MD5 and SHA-1 cryptographic hashes during acquisition and re-computing those hashes against the completed image; the verification hashes matched the corresponding hashes computed during acquisition.

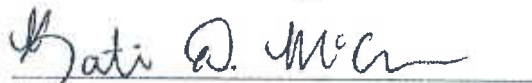
8. The forensic image of the device contains audio recordings made on the device. Analysis of the file system on the device identified one hundred and seventy-nine (179) unique audio recordings, by filename, in Waveform Audio (.WAV) format. Of those 179 unique recordings, seventy-one (71) are active recordings stored in the device's \Root\RECORD\ directory, and one hundred and eight (108) are deleted recordings — one hundred and seven (107) of which had been moved to the device's macOS trash directory at \Root\Trashes\501\, and one (1) of which exists only as a residual directory entry within \Root\RECORD\ with no recoverable content. I additionally performed file carving against unallocated space within the forensic image and recovered ten (10) additional deleted audio files that did not correspond to any active file-system entry. From the forensic image I exported a total of two hundred and ninety-one (291) .WAV files, comprising the ten (10) files recovered by carving and every other file-system entry bearing a .WAV extension, including residual or shadow directory entries left in \Root\RECORD\ when recordings were moved to \Root\Trashes\501\. Of those 291 exported files, one hundred and ninety-three (193) have a file size greater than zero (0) bytes and may contain audio data; the remaining ninety-eight (98) are residual file-system entries that bear a .WAV filename but no longer reference allocated cluster data and therefore contain no recoverable audio content. The counts stated in this paragraph are derived from file-system metadata. I have not reviewed or listened to the audio content of any of the recordings exported from the forensic image, and I make no representation in this affidavit as to the subject matter, contents, speakers, or evidentiary significance of those recordings.
9. The Affetuni MC-01 does not have wireless connectivity. The user manual for the Affetuni MC-01 identifies the device's only hardware interface as USB Type-C and describes the device's only data-transfer methods as wired: USB-C connection to a Windows or macOS computer, and OTG ("on-the-go") cable connection to an Apple iOS device (running iOS

13 or higher) or an Android device. The manual's specifications table lists no Bluetooth, Wi-Fi, or other wireless interface, and no wireless functionality is described anywhere in the manual. My physical inspection of the device is consistent with that documentation: no antenna, no wireless-module markings, and no firmware or file-system indicators of wireless functionality were observed. Based on the user manual and my physical inspection, the device has no Bluetooth, Wi-Fi, cellular, or other wireless connectivity.

FURTHER AFFIANT SAYETH NAUGHT.


Christopher Watkins, Affiant

SWORN to and subscribed before me
this 13th day of May, 2020.


Notary Public for South Carolina
My Commission Expires: 10/16/35

CURRICULUM VITAE OF
CHRISTOPHER J. WATKINS, LPI, CFCE, CMDE

Digital Forensic Examiner/Private Investigator
CERTIFIED COMPUTER FORENSICS, LLC
1416 Park Street, Columbia, SC 29201
Direct: (803) 360-6764

CURRENT EMPLOYMENT

January 2019 to Present, Co-Founder, Digital Forensic Examiner, SLED Licensed Investigator, Certified Computer Forensics, Columbia, South Carolina

- Undertakes complex analyses of sophisticated computer related investigations pursuant to tracking and/or recovering evidence, with particular emphasis on information flows and the reconstruction of computer transactions.
- Provides expert evidence, either in affidavit form or personally in Court as necessary.
- Provides expert opinion in relation to the significance of the evidence and the science behind its discovery, authentication, and analysis.
- Provides oral and/or written briefings as required on complex aspects of analytical tasks, with particular emphasis on computer related investigations.
- Actively participates in the development and implementation of computer techniques to support forensic computer analysis.
- Provides assistance in an advisory capacity at interviews or Court hearings as required, with emphasis on computer aspects.
- Conducts independent reviews of work conducted by Federal, State, or other private digital forensic examiners.

PROFESSIONAL EXPERIENCE

CERTIFIED COMPUTER FORENSICS	<u>SLED Licensed Investigator</u>	(January 2019 – Present)
WATKINS DIGITAL FORENSICS & INVESTIGATIONS	<u>SLED Licensed Investigator</u>	(January 2016 – December 2019)
STILLINGER INVESTIGATIONS	<u>SLED Licensed Investigator</u>	(February 2010 – January 2016)

❖ Digital Forensic Science

- Recognized as a Certified Forensic Computer Examiner (CFCE) by The International Association of Computer Investigative Specialists (IACIS) (Certificate ID 28389). IACIS is accredited by The Forensic Specialties Accreditation Board (FSAB), an independent board established to accredit professional bodies that certify forensic scientists and other forensic specialties
- Associate Member of The International Association of Computer Investigative Specialists (IACIS)
- Member of The American Society of Digital Forensics & eDiscovery, Inc. (ASDFE)
- Completed hundreds of digital forensic investigations involving computer systems, computer networks, servers, cellular phones, smartphones, tablet computers, cloud storage data, social networks, global positioning systems, digital video recorders, audio recorders, and other digital devices, as well as virtual hard disks and virtual machines

CURRICULUM VITAE OF
CHRISTOPHER WATKINS, LPL, CFCE, CMDE

PROFESSIONAL EXPERIENCE (CONTINUED)

❖ Digital Forensic Science (Continued)

- Completed hundreds of assignments involving video editing, analyses, and enhancements; audio editing, analyses, and enhancements; photographic editing, analyses, and enhancements; video/audio manipulation detection, photographic manipulation detection, file signature and metadata analyses, file signature and metadata manipulation detection, social engineering/intrusion detection, and records analyses
- Experienced in the practices and procedures involved in conducting forensic analyses on unmanned aerial vehicles, with particular emphasis on collecting serial numbers, flight paths, launch and landing locations, and video/photographic recordings.
- Experienced in the practices and procedures involved in conducting forensic analyses on gaming consoles, such as Nintendo Wii, Microsoft Xbox, Microsoft Xbox 360, Sony PlayStation 3, and Sony PlayStation 4.

❖ Cellular Tower Data & Cellular Communications Data Investigations

- Analyzed call detail records in Federal and State defense investigations
- Constructed interactive maps to indicate theoretical call locations
- Executed frequency analyses to determine distributions of communications by select variables
- Executed link analyses to evaluate relationships between nodes of contact

PROFESSIONAL TRAINING

Private Investigations

Licensed – SLED License #3239

Experience: February 2010 – Present
Training: 6 hours of annual SLED-approved continuing education training pursuant to S.C. Code Ann § 73-422(2); 2 hours of annual continuing education provided by SLED (service discontinued in 2014)
Case Types: Digital Forensics, Criminal Defense, Civil Litigation, Family Law, etc.

Digital Forensic Science

Experience: 2010 – Present
Training: Received hundreds of hours of curricular studies and application of digital forensics concepts, techniques, and applied science; IACIS; ASDFE
Software: GetData Forensic Explorer, Guidance Software EnCase Forensic, AccessData FTK, AccessData MPE+, Paraben Device Seizure, Magnet Forensics Axiom, Oxygen Forensic Detective, Sumuri Paladin, BlackBag Technologies, Cellebrite, and more
Platforms: Windows, Mac OS X, Linux, Android, iOS, Symbian, and more

Cellular Tower Data & Cellular Communications Data Investigations

Experience: April 2014 – Present
Training: Annual training and continuing education training seminars offered by ZetX (developer of TraX) and Hawk Analytics (developer of CellHawk, analytics software for cellular phones and cellular towers records); application of concepts and techniques to study theoretical call locations, communication frequencies and links
Software: ZetX TraX, Hawk Analytics CellHawk Oxygen Forensic Detective CDR Expert

CURRICULUM VITAE OF
CHRISTOPHER WATKINS, LPI, CFCE, CMDE

EDUCATION / SPECIALIZED TRAINING

2024	Certified Mobile Device Examiner (Re-Certification, December 2024)	IACIS Certificate ID 28389 <i>Area of Study:</i> Digital Forensics
2024	Certified Forensic Computer Examiner (Re-Certification, December 2024)	IACIS Certificate ID 28389 <i>Area of Study:</i> Digital Forensics
2024	Mobile Device Forensics	IACIS MDF Online Training <i>Area of Study:</i> Digital Forensics
2024	Oxygen Forensic Advanced Analysis	Oxygen Forensics, Inc. <i>Area of Study:</i> Digital Forensics
2022	Cellular Technology, Mapping & Analysis	Hawk Analytics, Inc. Training <i>Area of Study:</i> Cellular Tower Data
2021	Forensic Analysis of Cellular Networks	ZetX Advanced Learning <i>Area of Study:</i> Cellular Tower Data
2021	Certified Mobile Device Examiner (FSAB Accredited Certification, December 2021)	IACIS Certificate ID 28389 <i>Area of Study:</i> Digital Forensics
2021	Certified Forensic Computer Examiner (Re-Certification, October 2021)	IACIS Certificate ID 28389 <i>Area of Study:</i> Digital Forensics
2021	Certified Mobile Device Examiner (Certification Training, April 2021)	IACIS MDF Training Conference <i>Pursuant to Obtaining CMDE Certification</i>
2019	Non-Confrontational Interviewing Techniques (Investigations Training, May 2019)	Wicklander-Zulawski & Associates <i>Area of Study:</i> Investigations
2018	Certified Forensic Computer Examiner (FSAB Accredited Certification, November 2018)	IACIS Certificate ID 28389 <i>Area of Study:</i> Digital Forensics
2018	Certified Forensic Computer Examiner (Certification Training, April 2018)	IACIS BCFE Training Conference <i>Pursuant to Obtaining CFCE Certification</i>
2012	CompTIA A+ Certification (Certified Systems Engineer for Hardware & Software)	Midlands Technical College, Irmo, SC <i>Area of Study:</i> Information Technology
2010-2012	C++/C# Coursework (Computer Programming)	Midlands Technical College Online <i>Area of Study:</i> Computer Programming
2003-2005 <i>Attended</i>		Midlands Technical College, West Columbia, SC <i>Area of Study:</i> Science/Computer Science

CURRICULUM VITAE OF
CHRISTOPHER WATKINS, LPI, CFCE, CMDE

QUALIFICATIONS

Digital Forensic Science

Qualified on thirty-six (36) occasions as an expert witness in the field of Digital Forensic Science in United States District Court District of South Carolina (Federal), South Carolina Circuit Court (General Sessions and Common Pleas), and South Carolina Family Court. (A list of trial cases where qualified as an expert in the field of Digital Forensic Science is detailed below.)

Record #	County	Court	Case	Month	Year
36	Horry	Common Pleas	Spivey Est. v. C. Weldon Boyd	February	2026
35	Lexington	General Sessions	State v. Chendric Brown	January	2026
34	Greenwood	General Sessions	State v. Joshua Nix	December	2025
33	Richland	General Sessions	State v. Rick Chow	November	2025
32	Lexington	Common Pleas	Travis Hammack v. State	May	2025
31	Richland	General Sessions	State v. Jamira Davis	June	2023
30	Beaufort	Family	Catalano v. Snyder	June	2023
29	Beaufort	General Sessions	State v. Ray Altacho	April	2023
28	Marlboro	General Sessions	State v. Jejauncey Harrington	February	2023
27	Richland	General Sessions	State v. Antonio Barnes	December	2022
26	Horry	General Sessions	State v. Brian Redding	August	2022
25	Lexington	Common Pleas	Chad Hayes v. State	April	2022
24	Richland	General Sessions	State v. Mark Volstromer	June	2021
23	Horry	General Sessions	State v. Gary Bennett	October	2020
22	Aiken	Family	Haltiwanger v. Haltiwanger	January	2020
21	Lexington	General Sessions	State v. Lee Anthony Corley	January	2020
20	Lexington	Family	Ingram v. Chavez	January	2020
19	Richland	Family	Solomon v. Solomon	November	2019
18	Richland	General Sessions	State v. Kenneth Gleaton	October	2019
17	Richland	General Sessions	State v. Troy Stevenson	December	2018
16	Horry	General Sessions	State v. Philip Guderyon	October	2017
15	Lexington	General Sessions	State v. Nathaniel Hunter	April	2017
14	Lexington	General Sessions	State v. Wiley Sisk	December	2016
13	Richland	General Sessions	State v. Channen Ricks	October	2016
12	Richland	General Sessions	State v. Michael Simmons	September	2016
11	Laurens	General Sessions	State v. Johnny Lee Saxon	September	2016
10	Richland	General Sessions	State v. Channen Ricks	August	2016
9	Aiken	Common Pleas	Benjamin Green v. State	June	2016
8	Fairfield	General Sessions	State v. Christopher Moore	April	2016
7	Richland	Family	Arendash v. Arendash	October	2015
6	Aiken	Common Pleas	Benjamin Green v. State	September	2015
5	Richland	General Sessions	State v. Michael Smith	July	2015
4	Richland	General Sessions	State v. Troy Stevenson	June	2015
3	Lexington	General Sessions	State v. Filberto Garcia	June	2015
2	Richland	Federal	US v. Ruben Ceja-Rangel	April	2015
1	Richland	Family	Arendash v. Arendash	September	2014

CURRICULUM VITAE OF
CHRISTOPHER WATKINS, LPI, CFCE, CMDE

QUALIFICATIONS (CONTINUED)

Cellular Tower Data & Cellular Communications Data Investigations

Qualified on four (4) occasion as an expert witness in the field of Cellular Tower Data & Cellular Communications Data Investigations in South Carolina General Sessions Court. (A list of trial cases where qualified as an expert in the field of Cellular Tower Data & Cellular Communications Data Investigations is detailed below.)

Record #	County	Court	Case	Month	Year
4	Lexington	General Sessions	State v. Chendric Brown	January	2026
3	Horry	General Sessions	State v. Brian Redding	August	2022
2	Lexington	General Sessions	State v. Lee Anthony Corley	January	2020
1	Richland	General Sessions	State v. Kenneth Gleaton	October	2019

Criminal Defense Investigations

Qualified on one (1) occasion as an expert witness in the field of Criminal Defense Investigations in South Carolina General Sessions Court. (A list of trial cases where qualified as an expert in the field of Criminal Defense Investigations is detailed below.)

Record #	County	Court	Case	Month	Year
1	Richland	General Sessions	State v. Michael Smith	July	2015

Exhibit B

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
FAMILY COURT

Appellate Case No.: _____
Family Court Docket No.: 2025-DR-26-2774

Stuart M. Axelrod,

Petitioner,

v.

Carla Ericson,

Respondent.

AFFIDAVIT OF PETITIONER STUART M. AXELROD

PERSONALLY APPEARED BEFORE ME, Petitioner Stuart M. Axelrod, who first being duly sworn, swears and deposes as follows:

1. My name is Stuart M. Axelrod and I am the petitioner in the above referenced matter. I am also an attorney licensed to practice law in the State of South Carolina. I am over 18 years of age and competent to testify about the matters discussed herein.
2. I am bringing this action to properly investigate and suppress evidence which my wife, Respondent Carla Ericson, obtained through unlawful interceptions, together with the fruits of any evidence derived therefrom.
3. My investigation has only just begun, but I believe Carla has intercepted my communications through clandestinely using a recording device in my bedroom and through accessing my

personal email account and intercepting my communications, including with my attorneys in the Family Court matter.

RECORDING DEVICE

4. In the fall of 2025, my maid found a recording device in my bedroom at the former marital home. I did not place that device in the bedroom. The maid did not place that device in the bedroom.
5. Because we were having marital difficulties, I suspected Carla had placed the recording device in the bedroom to clandestinely record me.
6. After the Family Court action was filed, I served discovery requests upon Carla seeking information about the recording device. I specifically asked:

During the course of your present marriage, have you or anyone at your direction intercepted, recorded, and/or attempted to record any of your spouse's or any other person's telephone or other communications? If so, please state the nature and method of interception and/or recording or the attempt to intercept or record, identify the person who intercepted and/or recorded the communications or attempted to do so, the dates of said interception and/or recordings, and, the custodian of said recordings and/or transcriptions thereof.

See: Excerpt of Discovery Responses attached hereto as ***EXHIBIT 1***.

7. In her discovery responses dated April 28, 2026, Carla stated as follows in response to this request:

ANSWER: Plaintiff placed a recording device in the parties' master bedroom after Plaintiff overheard Defendant having a masturbatory session with his mistress, Marylynn Bishop. The device was confiscated by Defendant and Plaintiff never received any data from the device.

Plaintiff reserves the right to supplement this answer at a later date.

See: Excerpt of Discovery Responses attached hereto as ***EXHIBIT 1***.

8. I have never authorized Carla to record my conversations.
9. I retained Christopher Watkins to forensically examine the recording device. My understanding is the recording device may have been accessed by a Mac computer or iOS device. I do not use Mac devices. Carla has a Mac Book Pro and an iPad that she uses. I also understand Mr. Watkins found audio recordings on the recording device's memory. The initial review of those

recording indicate that Carla recorded several conversations while I was talking on the phone with third parties. Most of the recording I have reviewed are only my side of the conversation, but I believe some may include third party voices speaking to me on speakerphone. I also do not know whether any prior recordings had been deleted. Mr. Watkins has prepared an affidavit regarding his preliminary findings which is being submitted simultaneously herewith.

10. I do not know when Carla placed the electronic device or how many recordings were made. I do not believe Carla is being truthful about never having accessed the audio files. As this was my private bedroom, there were many private conversations which took place in this room, including conversations with my attorneys and conversations with my own clients (I am a licensed attorney).
11. Based upon the foregoing, I am requesting the Court permit me to investigate the unlawful interception of my aural conversations by the recording device which was installed by and accessible by Carla.

INTERCEPTION OF EMAILS

12. In the fall of 2025, I also discovered Carla had been surreptitiously accessing my private, web-based email account (a Hotmail account).
13. I became aware that Carla had been accessing and forwarding my emails on many different occasions.
14. In my discovery requests, I asked Carla:

From January 1, 2025, to present, have you or anyone at your direction accessed Defendant's email accounts or electronic devices? If so, please state when these accounts/devices were accessed, what emails or documents were reviewed and copied or forwarded, and identify any and all third parties which were sent information or documentation obtained from Defendant's email and identify what specific documentation or information was sent to third parties.

See: Excerpt of Discovery Responses attached hereto as ***EXHIBIT 1***.

15. Carla responded as follows:

ANSWER: Yes, Plaintiff has accessed Defendant's email from the parties' home computer. Plaintiff forwarded certain emails to the witnesses listed above for

safekeeping. See Responses to Interrogatory #6 and Request to Produce.

Plaintiff reserves the right to supplement this answer at a later date.

See: Excerpt of Discovery Responses attached hereto as *EXHIBIT 1*.

16. Carla's Responses to my Request for Production indicate that she accessed emails dated from July 2025 through October 2025, though her discovery response is deficient in that she did not state the dates that she accessed my emails. The forwarding and printing dates on these documents indicate that Carla was routinely accessing my emails and either printing them or sending them to herself or to her friends throughout the fall of 2025.
17. One of the communications obtained by Carla contained my history of the marriage which I prepared and shared with my counsel solely for the purposes of preparing for this litigation (herein "Client Novel").
18. For a summary of the type of information contained in the Client Novel, I am enclosing a copy of the instructions which were provided to me by my attorney to assist me in preparing the Client Novel. *EXHIBIT 2*. Client Novels normally include personal history, family history, history of the marriage, client assessment of various matters the Court is required to consider, and litigation objectives.
19. The information which I included is extremely personal, highly sensitive, and critically important to litigation preparation.
20. To emphasize the sensitivity of the information contained in my Client Novel, the end of the client Novel Instructions specifically state:

DO NOT LET YOUR SPOUSE SEE THIS PAPER OR YOUR "CLIENT NOVEL". CONFIDENTIALITY IS ESSENTIAL TO OUR EFFECTIVELY REPRESENTING YOUR INTERESTS. IF YOU BREACH THIS CONFIDENTIALITY, YOU ARE JEOPARDIZING OUR ABILITY TO PROPERLY REPRESENT YOUR INTERESTS. MORE IMPORTANTLY, YOU ARE JEOPARDIZING OUR ABILITY TO OBTAIN A FAVORABLE RESULT FOR YOU.

Emphasis in Original.

21. Carla also unlawfully obtained one email which contained communications between my attorneys

and I regarding settlement of the case and overall strategy.

22. I believe Carla was unlawfully obtaining my emails throughout the fall of 2025. I have taken the computer to Christopher Watkins for forensic examination. That examination has not been completed to determine when Carla accessed my computer or my email and whether her accessing my email was contemporaneous with other emails being received. I cannot imagine it was not as I receive dozens of emails on a daily basis related to not only my own personal matters, my personal litigation, and my business interests, but also pertaining to my own clients.
23. Based upon the foregoing, I am requesting the Court to permit us to fully investigate these matters and ultimately suppress and ill-gotten evidence, together with any fruits obtained from that ill-gotten evidence.
24. The above statements are true and correct, save and except those stated to be based upon information and belief, upon which I believe those statements to be true and correct.

/ Signature Page Attached

SWORN to and subscribed before me
this 13th day of May, 2026

Lori Burrow
NOTARY PUBLIC FOR South Carolina
Printed Name of Notary: Lori Burrow
My Commission Expires: 2/22/2032


STUART M. AXELROD

Exhibit 1

d. None at this time.

Plaintiff reserves the right to supplement this answer at a later date.

3. Set forth a list of photographs, plats, sketches or other prepared documents in your possession that relate to the claim or defense in the case.

ANSWER: Please refer to the attached List of Documents Provided.

Plaintiff reserves the right to supplement this answer at a later date.

4. State the names and addresses of all persons other than your attorney with whom you have discussed your spouse or your matrimonial dispute from the date of separation through the date of your responses, and summarize all comments made by you and such third parties with respect to your spouse or your matrimonial dispute.

ANSWER: Please see answer to Interrogatory #1.

Plaintiff reserves the right to supplement this answer at a later date.

5. Have you, or anyone on your behalf, conducted surveillance or investigated your spouse? If so, please provide the details, including the name and address of the investigator, the dates of surveillance and investigation, the results of such surveillance and investigation, state where such items may be inspected, and if tracking devices were used. Also, list and describe all reports (oral and written), videos, photographs, and other demonstrative evidence resulting from such surveillance and investigation.

ANSWER: An investigation was conducted by Bulldog PI, LLC, 1000 S. Commons Drive, Suite 102, #370, Myrtle Beach, SC 29588. Investigators were Melissa Bridges, Wade Alford, and Taylor King. Full investigation file is attached.

Plaintiff reserves the right to supplement this answer at a later date.

6. During the course of your present marriage, have you or anyone at your direction intercepted, recorded, and/or attempted to intercept or record any of your spouse's or any other person's telephone or other communications? If so, please state the nature and method of interception and/or recording or the attempt to intercept or record, identify the person who

intercepted and/or recorded the communications or attempted to do so, the dates of said interception and/or recordings, and, the custodian of said recordings and/or transcriptions thereof.

ANSWER: Plaintiff placed a recording device in the parties' master bedroom after Plaintiff overheard Defendant having a masturbating session with his mistress, Marylynn Bishop. That device was confiscated by Defendant and Plaintiff never received any data from the device.

Plaintiff reserves the right to supplement this answer at a later date.

7. From January 1, 2025, to present, have you or anyone at your direction accessed Defendant's email accounts or electronic devices? If so, please state when these accounts/devices were accessed, what emails or documents were reviewed or copied or forwarded, and identify any and all third parties which were sent information or documentation obtained from Defendant's email and identify what specific documentation or information was sent to said third-parties.

ANSWER: Yes, Plaintiff has accessed Defendant's email from the parties' home computer. Plaintiff forwarded certain emails to the witnesses listed above for safekeeping. See Responses to Interrogatory #6 and Request to Produce.

Plaintiff reserves the right to supplement this answer at a later date.

VON HERRMANN LAW FIRM



Heather S. von Herrmann, Esquire
von Herrmann Law Firm
Attorney for Plaintiff
212 Elm Street
Conway, SC 29526
Phone: (843) 488-1030
Fax: (843) 488-1035

Dated: April 27, 2026
Conway, South Carolina

COPY

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

Carla L. Ericson,

Plaintiff,

vs.

Stuart M. Axelrod,

Defendant.

IN THE FAMILY COURT FOR THE

FIFTEENTH JUDICIAL CIRCUIT

CASE NO.: 2025-DR-26-2774

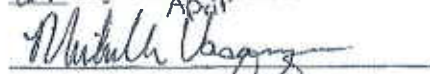
VERIFICATION

PERSONALLY appeared before me the Plaintiff in the foregoing action, who being duly sworn, deposes and says:

- (a) That this Deponent has read *Plaintiff's Answers to Defendant's First Set of Interrogatories to Plaintiff and Plaintiff's Responses to Defendant's First Set of Requests for Production to Plaintiff*.
- (b) That the *Plaintiff's Answers to Defendant's First Set of Interrogatories to Plaintiff and Plaintiff's Responses to Defendant's First Set of Requests for Production to Plaintiff* prepared by this Deponent's attorney are based upon information this Deponent has personally furnished to said attorney.
- (c) That *Plaintiff's Answers to Defendant's First Set of Interrogatories to Plaintiff and Plaintiff's Responses to Defendant's First Set of Requests for Production to Plaintiff* are true and correct and are based upon the personal knowledge of this Deponent, and, as to those, this Deponent verily believes the same to be true.
- (d) That this Deponent has authorized said attorney to present *Plaintiff's Answers to Defendant's First Set of Interrogatories to Plaintiff and Plaintiff's Responses to Defendant's First Set of Requests for Production to Plaintiff* to Defendant's counsel.
- (e) That this Deponent understands that this Verification is sworn to and given under oath.


Carla L. Ericson, Plaintiff

SWORN to before me this
27th day of March, 2026.


Notary Public of South Carolina
My Commission Expires 12/2029

MICHELLE VASQUEZ
Notary Public - State of South Carolina
My Commission Expires
January 02, 2029

Exhibit 2

CLIENT NOVEL INSTRUCTIONS

McLaren & Lee
1508 LAUREL STREET
POST OFFICE BOX 11809
COLUMBIA, SOUTH CAROLINA 29211-1809
TELEPHONE (803)799-3074
FAX (803)252-3548

If you are represented by McLaren & Lee, it will be necessary for you to supply us with a legible (neatly hand-written or typed) "Client Novel" providing us with the history of your marriage highlighting important details. This information is vital to our properly understanding your situation and to our properly representing your interests. Details are important. Please provide as much detail as possible. Your "Client Novel" should include, at a minimum, the following:

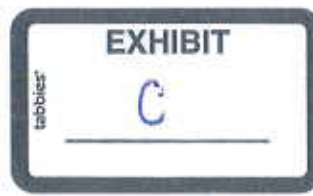
1. **Briefly cover:** You and your spouse's **age, health, education;** and, you and your spouse's **current employment and income.**
2. A **detailed chronology of the important events in your marriage** including the time you and your spouse dated before marriage; the date and place of marriage; what you and your spouse were doing immediately prior to your marriage (school, employment, where you lived, what you owned, and what you owed); the purchase and sale of any real estate or other significant investments or assets including the source and disposition of monies; the birth and care of children; moves; job changes; job promotions; inheritances; significant financial transactions; and other events which you consider to be important during your marriage.
3. A **detailed history of your financial contributions** to the marriage (money, property, or otherwise).
4. A **detailed history of your spouse's financial contributions** to the marriage (money, property, or otherwise which you brought into the marriage).
5. A **detailed history of your indirect contributions** to the marriage (as a mother, father, husband, wife, homemaker, assistance in your spouse's career development, etc.).
6. A **detailed history of your spouse's indirect contributions** to the marriage (as a mother, father, husband, wife, homemaker, assistance in your career development, etc.).
7. A **detailed explanation of all of the "foregone opportunities" that you (or your spouse) have lost** as a result of your marriage or decisions made during your marriage. This would include both economic and career opportunities. Examples would be seniority, retirement benefits,

employment, businesses, etc. In other words, things you gave up to help your spouse or family.

8. **If custody or visitation is an issue, be detailed about the child(ren).** Talk about their growth and development; their health; their education and educational needs; your expectations; the relationship they have with both you and your spouse; and, the role and contributions you and your spouse have had in their upbringing.
9. **A detailed history of all separations** by dates (beginning and end), who left and why, and any other circumstances or specifics that are important.
10. **A detailed history of the "bad" things your spouse has done to you** during your marriage (what, when and where – be specific) (e.g. saying he/she "abused" or "mistreated" you is not sufficient).
11. **A detailed history of all the "bad" things you have done to your spouse** during the marriage. (Be specific).
12. **An explanation of your "short term" and "long term" objectives in order of importance** dealing with such issues as divorce, separation, custody of children, visitation with children, obtaining particular property (real and personal) use or ownership of an automobile, restraining orders, alimony, child support and any other special results which you would desire to obtain through litigation or settlement.
13. Any **other matters or events** which you consider important.
14. **Please bring to our office the following documents:**
 - ☐ Personal and business tax returns, state and federal, for all years of the marriage, especially for the last five (5) years.
 - ☐ Loan applications and bank filed financial statements.
 - ☐ The most recent statements for all bank accounts, investment and stock accounts and retirement accounts.
 - ☐ Life insurance policies and statements of cash value;
 - ☐ Closing statements, deeds, notes, mortgages and recent statements reflecting mortgage balances for all real estate.
 - ☐ Documents reflecting the year, make, model, mileage and loan balance and payments for all vehicles, boats, and recreational vehicles.

- ☐ List of all bank, investment and/or stock accounts, and retirement accounts that you have or you believe your spouse has (if you actual statements are not available to you).
- ☐ Evidence of misconduct, such as:
 - ☐ Photographs of bruises or other injuries;
 - ☐ Police reports;
 - ☐ Private investigation reports;
 - ☐ Tapes of conversations between you and your spouse (which do not violate wiretap laws);
 - ☐ Computer records;
 - ☐ Cards, notes and letters;
 - ☐ Journals & diaries;
 - ☐ Receipts for motels, travel and the like.
- ☐ If custody is an issue, gather all:
 - ☐ Report cards and other school records;
 - ☐ Pediatrician records;
 - ☐ Dental records;
 - ☐ Orthodontic records;
 - ☐ Cancelled checks and charge card receipts for purchases relating to the children, such as for medical care, dental care, orthodontic care, clothes, extracurricular activities, school expenses, lessons, tutoring, etc.
- ☐ A list of people who will give you supporting Affidavits by name, address, telephone number, how he or she knows you, your spouse or your children, and the substance of what each witness is expected to say.

DO NOT LET YOUR SPOUSE SEE THIS PAPER OR YOUR "CLIENT NOVEL". CONFIDENTIALITY IS ESSENTIAL TO OUR EFFECTIVELY REPRESENTING YOUR INTERESTS. IF YOU BREACH THIS CONFIDENTIALITY, YOU ARE JEOPARDIZING OUR ABILITY TO PROPERLY REPRESENT YOUR INTERESTS. MORE IMPORTANTLY, YOU ARE JEOPARDIZING OUR ABILITY TO OBTAIN A FAVORABLE RESULT FOR YOU.



STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY	)	
	)	Case No.: 2026-CP-26-_____
Stuart M. Axelrod,	)	
	)	
Plaintiff	)	
	)	
vs.	)	SUMMONS
	)	
Ruth Le May,	)	
	)	
Defendant.	)	
_____	)	

TO THE DEFENDANT, Ruth Le May,

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is hereby served upon you, and to serve a copy of your Answer to the said Complaint on Plaintiff or his attorney, at his office mailing address, Post Office Box 305, Sullivans Island, SC 29482, within thirty (30) days after the service hereof, exclusive of the date of such service, and if you fail to answer the Complaint within the time aforesaid, judgment by default will be rendered against you for the relief demanded in the Complaint.

s/Desa Ballard
Desa Ballard (S.C. Bar No. 498)
Law Offices of Desa Ballard
226 State Street
West Columbia, SC 29169
Telephone 803.796.9299
Facsimile 803.796.1066
desab@desaballard.com

s/Steven M. Abrams
Steven M. Abrams (S.C. Bar No. 76230)
Abrams Cyber Law & Forensics, LLC
Post Office Box 305
Sullivans Island, SC 29482
Telephone 843.216.1100
steve@abramsforensics.com

ATTORNEYS FOR PLAINTIFF

July 23, 2026

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY	)	
	)	Case No.: 2026-CP-26-_____
Stuart M. Axelrod,	)	
	)	
Plaintiff	)	
vs.	)	VERIFIED COMPLAINT
	)	
Ruth Le May,	)	
	)	
Defendant.	)	
	)	

GENERAL ALLEGATIONS AND JURISDICTION

1. Plaintiff Stuart Axelrod ("Axelrod"), and Defendant Ruth Le May ("Le May"), are residents of Horry County, South Carolina.
2. On information and belief, Le May was present in Horry County, South Carolina, when she committed the acts described herein. On information and belief, Le May is a citizen and resident of Horry County, South Carolina.
3. Jurisdiction and venue are proper before this Court.
4. Carla Ericson ("Ericson") is the wife of Axelrod and a close friend of Defendant Le May.
5. Axelrod and Ericson are currently engaged in a divorce action in Horry County.
6. Defendant Le May, as an agent of and working on behalf of Ericson, through the commission of a series of intentional illegal and tortious acts described herein, did great harm to Axelrod. In all bad acts alleged herein Defendant Le May assumed the role as agent for Ericson, assisting her in acts designed to give Ericson an advantage in the divorce action which Ericson instigated against Axelrod and to cause financial and emotional harm to Axelrod, which Defendant Le May and Ericson accomplished.

I. Le May Was Openly Hostile Toward Axelrod as Witnessed by Others

7. The animosity between Defendant Le May and Axelrod was evident both before and during the pendency of the divorce litigation. Le May went so far as assaulting Axelrod in the presence of a third party on or about November 28, 2025. The assault by Axelrod by Defendant Le May occurred while Axelrod was in his home and was witnessed by a friend of Axelrod, Joe Barrone. Mr. Barrone describes that Axelrod invited him over for dinner, in part because Axelrod and Ericson had been arguing and Axelrod was concerned about Ericson's actions. Starting at the point where Mr. Barrone arrived at Axelrod's home he states,

“Stuart let me in and we started talking. Within a minute or so, [Ericson] came in the kitchen. I said, "Hi," and so did she. Then Stuart asked her where she was going. She said she'll be back. She did come back maybe fifteen minutes or so later with [Le May]. [Le May] and I said hello but you could tell it wasn't too friendly. [Le May] started right in attacking Stuart verbally! I couldn't believe it! [Le May] started yelling and then all of a sudden [Le May] charged at him! I truly believe that if I wasn't there, she would have hit him. While all of this was going on, [Ericson] was recording it on video. I couldn't believe it! Her friend was attacking her husband and she was videoing it.”

Ericson's actions were as principal, whose agent Defendant Le May, supporting Defendant Le May's intentions to do harm to Axelrod.

8. Illegal acts against Axelrod committed by Defendant Le May included multiple violations of the South Carolina Homeland Security Act, The Electronic Communications Privacy Act, and The Stored Communications Act.

II. Le May and Ericson Conspired to Intercept Axelrod's Oral and Electronic Communications in Support of Ericson's Domestic Litigation Against Axelrod

9. Axelrod and Ericson became hostile towards each other in early August 2025. Prior to that, Defendant Le May helped Ericson secret a voice activated audio recording device in the

private bedrooms of Axelrod to intercept his oral conversations during the time when Axelrod and Ericson were adverse and preparing for divorce. During this time Axelrod moved between the master bedroom and a smaller bedroom on the second floor of the marital residence and then back to the master bedroom again. Based on the dates of use recovered forensically from the recorder it is known that the hidden audio recorder was moved between the bedrooms following Axelrod when he moved between the bedrooms. Based on the forensics, the attempted eavesdropping of Axelrod began on August 4th and 5th, 2025, and continued until the recording device was discovered by a third party (housekeeper) on or about October 11, 2025. After the recorder was discovered, it was documented and removed by Axelrod's Private Investigator, "Investigator Tindall" of Skidmore and Associates, Inc., on October 11, 2025.

10. The audio recorder recovered in Axelrod's bedroom by Skidmore & Associates was taken to a digital forensics examiner, Christopher J. Watkins. Mr. Watkins performed a detailed forensic analysis of the recorder and produced two affidavits describing the dates of use of the recorder, and certain audio contents of the recorder. Many of the oral conversations on the recorder were likely interceptions of Axelrod violative of state and federal law, but other recorded conversations in the recorder, principally those involving Defendant Le May and Ericson, were not interceptions because at least one party knew about the recording thus satisfying the one-party notification requirement in South Carolina.

III. This Complaint Is Not Based on Any Intercepted Material Itself

11. This Complaint is not based on, nor reliant on any of the content of the likely intercepted material collected from the conspirators' audio recorder and relies only on the forensic analysis of the file system metadata which documents the use of the recorder, the audio recordings of Ericson and Defendant Le May setting up the recorder, made with one-party

notification and thus not interceptions, and Ericson's sworn testimony and discovery answers in which she admitted to "intercepting" Axelrod's oral and electronic communications with Defendant Le May's assistance.

IV. Direct Evidence of the Conspiracy to Intercept Axelrod's Communications From Ericson's Sworn Testimony

12. This Complaint is partially based on Ericson's sworn testimony at a hearing before the South Carolina Department of Employment and Workforce on June 30, 2026. In the hearing testimony, excerpted below, Ericson admits to putting a hidden audio recorder in Axelrod's bedroom without his knowledge or consent, intending to capture Axelrod's oral communications while Ericson was not a party to said conversations. Ericson further testified that Defendant and co-conspirator Le May assisted her in setting up the recorder hidden in Axelrod's bedrooms because Ericson didn't know how to do it herself.
13. In addition to creating, accessing and distributing recorded oral conversations, Ericson also testified under oath on June 30, 2026 that she "intercepted" Axelrod's private email and disseminated it. In her discovery responses in the Family Court litigation Ericson listed Axelrod's privileged and dozens of confidential emails in her possession and admitted to disseminating the "intercepted" emails to her attorneys and to three friends including Le May for "safe keeping." The stolen and intercepted emails include attorney-client privileged emails from Axelrod's counsel in the ongoing Family Court litigation, and other confidential emails. Upon information and belief, after examining the file metadata related to Axelrod's emails that Ericson took without authorization it appears the emails were taken in violation of the federal Stored Communications Act. Ericson forwarded Axelrod's illegally obtained Hotmail emails to Defendant Le May from Axelrod's desktop computer as a means of getting them off of the computer, thus making Defendant Le May a crucial part of the interception conspiracy.

Excerpts from the transcript of Ericson's sworn testimony on June 30, 2026 contains proof of the Ericson - Defendant Le May conspiracy to intercept Axelrod's oral and electronic communications.

14 Okay. Did you -- it's basically been
15 asserted here today through the testimony and
16 suggested that you put a recording device in --
17 unknown to Mr. Axelrod, which recorded privileged
18 conversations which came out in the complaint filing
19 in the court with the Court of Appeals. Could you
20 respond to that?

21 A. Yes, that is true. (Pg. 50)

7 Q. Did -- were there recordings made by this
8 device when you were not present?

9 A. Yes. (Pg. 51)

9 Q. Okay. And did you -- did you purchase this
10 recording device specifically for this purpose?

11 A. Yes. (Pg. 53)

25 Q. Ms. Ericson, when did you place the
1 recording device in Mr. Axelrod's bedroom? What
2 date?

3 A. I'm not sure.

8 Q. And who assisted you, if anyone in that
9 regard?

10 A. A friend of mine assisted me.

11 Q. Was that Ms. Lemay (phonetic)?

12 A. It was.

13 Q. All right. Did Ms. Lemay have access to the
14 recording device?

15 A. She didn't have access, no.

16 Q. Well, what did she have?

17 A. She helped me with it. I didn't know
18 anything about it.

19 Q. Okay. So she assisted you in setting it all
20 up?

21 A. Yes. (pgs. 57-58)

Q. Let's see. Where did you purchase this
9 recording device?

10 A. Amazon.

15 Q. All right. And when you placed it in the
16 bedroom, was it your intent to record Mr. Axelrod
17 without his knowledge?

18 A. Yes. (Pg. 69)

Q. Ms. Ericson, you admitted in the Family
4 Court proceeding that you intercepted Mr. Axelrod
5 personal emails, did you not?

6 A. Yes.

7 Q. Okay. And you have provided copies of those
8 emails to your lawyers and the domestic action; is

9 that correct?

10 A. Yes. (Pg.67)

11 Q. All right. Ms. Ericson, did you not file an
12 affidavit in response to your discovery responses in
13 family court disclosing that you provided copies of
14 all those emails to your attorneys?

15 A. Yes. (Pg.68)

V. Direct Evidence of the Conspiracy to Intercept Plaintiff's Communications From Ericson's Discovery Responses

14. Ericson's responses to the first interrogatories in the domestic litigation (Plaintiff's Answers to Defendant's First Set of Interrogatories to Plaintiff) admit that the "intercepted" email was forwarded to three of her friends including Defendant Le May. Le May was listed as a witness in the interrogatory responses along with Tina Bonnevier and Mary Jones. In the answer to the seventh interrogatory Ericson admits to accessing Axelrod's personal email and forwarding it to Defendant Le May and the other two women listed. The illegally obtained emails were also produced by Ericson in Ericson's reply to the Requests to Produce in Family Court. Ericson also again admitted to using the audio recorder to secretly record Axelrod in her Answer to Interrogatory number 6.

7. From January 1, 2025, to present, have you or anyone at your direction accessed Defendant's email accounts or electronic devices? If so, please state when these accounts/devices were accessed, what emails or documents were reviewed or copied or forwarded, and identify any and all third parties which were sent information or documentation obtained from Defendant's email and identify what specific documentation or information was sent to said third-parties.

ANSWER: Yes, Plaintiff has accessed Defendant's email from the parties' home computer. Plaintiff forwarded certain emails to the witnesses listed above for safekeeping. See Responses to Interrogatory #6 and Request to Produce. (PLAINTIFF'S ANSWERS TO DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFF).

VI. Defendant Le May and Ericson Conspired to Violate the South Carolina Homeland Security Act

15. Under the South Carolina Homeland Security Act attempted interception, attempted use and/or attempted disclosure of intercepted communications are prohibited criminal acts and are punishable in the same way as successful interceptions, disclosure and use. For

the purposes of this Complaint to avoid any claim that this action relies in any way on the intercepted materials themselves, the conspiracy cause of action to intercept Axelrod's communications only need establish attempts to intercept the oral and/or electronic communications by the conspirators because the SC Homeland Security Act prohibits successful and attempted interceptions, disclosures and use. The attempts to intercept Axelrod are proven in the testimony and discovery responses of Ericson, the metadata forensics, and the self-recordings of Ericson and Defendant Le May.

SECTION 17-30-20. Prohibited acts.

Except as otherwise specifically provided in this chapter, a person who commits any of the following acts is guilty of a felony and, upon conviction, must be punished as provided in Section 17-30-50 of this chapter:

(1) intentionally ... attempts to intercept, or procures any other person to ... attempt to intercept any ... oral, or electronic communication;

...

(3) intentionally ... attempts to disclose to any other person the contents of any ... oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of ... [an] oral, or electronic communication in violation of this subsection;

(4) intentionally ... attempts to use the contents of any ... oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of ... [an] oral, or electronic communication in violation of this subsection; (SC Code 17-30-20. Emphasis added).

16. The South Carolina Homeland Security Act contains a private right of civil action that affords the victims of violations of the Act, a remedy of monetary liquidated damages, punitive damages, and reasonable attorney's fees and costs for said privacy violations.

SECTION 17-30-135. Civil action for wrongful interceptions.

- (A) Any person whose wire, oral, or electronic communication is intercepted, disclosed, or used in violation of this chapter has a civil cause of action against any person or entity who intercepts, discloses, or uses, or procures any other person or entity to intercept, disclose, or use the communications and is entitled to recover from the person or entity which engaged in that violation relief as may be appropriate, including:
- (1) preliminary or equitable or declaratory relief as may be appropriate;
 - (2) actual damages, but not less than liquidated damages computed at the rate of five hundred dollars a day for each day of violation or twenty-five thousand dollars, whichever is greater, not to exceed the limits on liability provided in subsection (F)(3);
 - (3) punitive damages, except as may be prohibited in subsection (F)(4); and
 - (4) a reasonable attorney's fee and other litigation costs reasonably incurred.

VII. Ericson and Defendant Le May's Unauthorized Access and Copying of Axelrod's Email Violated the Stored Communications Act

17. The federal Stored Communications Act (18 USC §§ 2701-2713) criminalizes unauthorized access to electronic communications while they are in electronic storage in the server of an electronic communications service provider, such as Microsoft. Any emails that Ericson and Defendant Le May accessed while attempting to intercept Axelrod's email that were not actual interceptions were violations of the Stored Communications Act because Ericson and Defendant Le May lacked authorization or consent to access Axelrod's email account.

18 U.S. Code § 2701 - Unlawful access to stored communications

- (a) Offense.—Except as provided in subsection (c) of this section whoever—
 (1) intentionally accesses without authorization a facility through which an electronic communication service is provided; or
 (2) intentionally exceeds an authorization to access that facility;
 and thereby obtains, alters, or prevents authorized access to a wire or electronic communication while it is in electronic storage in such system shall be punished as provided in subsection (b) of this section.

18 U.S. Code § 2707 - Civil action

- (a) Cause of Action
 Except as provided in section 2703(e), any provider of electronic communication service, subscriber, or other person aggrieved by any violation of this chapter in which the conduct constituting the violation is engaged in with a knowing or intentional state of mind may, in a civil action, recover from the person or entity, other than the United States, which engaged in that violation such relief as may be appropriate.
- (b) Relief.
 In a civil action under this section, appropriate relief includes—
 (1) such preliminary and other equitable or declaratory relief as may be appropriate;
 (2) damages under subsection (c); and
 (3) a reasonable attorney's fee and other litigation costs reasonably incurred.
- (c) Damages.
 The court may assess as damages in a civil action under this section the sum of the actual damages suffered by the plaintiff and any profits made by the violator as a result of the violation, but in no case shall a person entitled to recover receive less than the sum of \$1,000. If the violation is willful or intentional, the court may assess punitive damages. In the case of a successful action to enforce liability under this section, the court may assess the costs of the action, together with reasonable attorney fees determined by the court.

18. The statutory damages for a violation of the Stored Communications Act are assessed for each email as a separate violation. In addition, for a willful violation punitive damages are assumed. In the Fourth Circuit punitive damages are typically awarded as one half of the statutory damages, so \$1,500 per email accessed without authorization or exceeding actual authorization. The number of emails “accessed” generally far exceeds the number of emails actually taken, as all the emails “accessed” includes emails read and not copied at a minimum.

VIII. Both Defendant Le May and Ericson Made Recordings of Themselves In the Process of Setting Up the Audio Recorder to Intercept Axelrod’s Oral Communications

19. Defendant Le May created direct evidence of her own involvement in the conspiracy to intercept Axelrod’s oral conversations. On October 1, 2025, during preparation to redeploy the audio recorder ultimately recovered from Axelrod’s bedroom, Defendant Le May recorded a self-identifying audio recording (“*Hi, my name is Ruth Le May and I’m 47 years old.*”) that she made to test the recorder on the same day that it was placed in Axelrod’s bedroom. Defendant Le May and Ericson also recorded themselves discussing how to set the recorder for voice activated recording in the process of setting up the audio device on October 1, 2025. Ericson recorded herself on the audio recorder on July 28, 2025, while talking to a client of the Axelrod law firm.

IX. Forensic Analysis Proves the Audio Recorder Recovered From Axelrod’s Bedroom Was Used to Create Hundreds of Audio Files Between July and October 2025, That Were Downloaded to an Apple Mac Computer.

20. Forensic analysis of the recorder from Axelrod’s bedroom showed it contained numerous .wav audio files dated between July 25, 2025, and October 11, 2025. Forensic analysis further revealed that the device had been attached to a Mac computer and that many of the previously recorded .wav files had been deleted. This indicates that the device was used

to record audio, downloaded, erased, and redeployed multiple times between July and October 2025. Both Defendant Le May and Ericson are known to have Mac computers.

21. Axelrod's housekeeper discovered the recorder while cleaning his bedroom on October 11th, 2025. The recorder was left in place until Axelrod's PI was able to come to the premises to document recovery of the hidden audio recorder. The PI documented the recovery of this audio device from Axelrod's bedroom in his affidavit.

X. Axelrod Had a Reasonable Expectation of Privacy and Never Consented to Being Recorded in His Bedroom. There Was No Spousal Exception for Ericson's Interceptions of Axelrod's Electronic and Oral Communications

22. At all times relevant herein Axelrod had various Apple iOS devices (iPhone, iPad) and an Apple ID, an Apple iCloud account, and a Hotmail account that he kept private. Axelrod also had a Windows based desktop PC that he exclusively used for his electronic communications including legally privileged communications with his clients and his own attorneys. It was understood by Axelrod and Ericson by the first week of August 2025 that they were headed to a divorce. Given the close friendship between Ericson and Defendant Le May, once Ericson knew of the pending divorce so did Defendant Le May.
23. Any possible implied spousal consent between Axelrod and Ericson to access Axelrod's electronic devices, electronic communications, or to listen to his oral communications based upon their marital status was rescinded as a matter of law once the parties became adversarial on or before the first week of August 2025.
24. At no time after he told Ericson that he wanted a divorce (during the first week of August 2025), did Axelrod give anyone permission to intercept or use his private electronic or oral communications or to disclose the contents of these communications. At no time did Axelrod give anyone permission to read, copy, or disclose the contents of his electronic devices, including his Apple devices and desktop PC described above. At no time did

- Axelrod give anyone permission to access his Apple iCloud account, Hotmail email account, or the contents stored therein.
25. At all times relevant herein Axelrod had the ability to send and receive private text messages and emails on his cell phone, iPad, and computers.
26. At no time after Axelrod and Ericson became adversarial in August 2025 did Axelrod give anyone permission to access, use, or disclose his private text messages or emails.
27. Axelrod and the persons with whom he was conversing privately had no knowledge that they were being recorded, nor had they consented to being recorded. Axelrod had a reasonable expectation of privacy in his bedroom, and a reasonable belief that his conversations were private and were not being recorded. The Fourth Circuit has expressly held that there is no implied exception for electronic surveillance conducted between spouses, meaning interspousal wiretapping and bugging are fully prohibited under federal law. *Schiff v. Kennedy*, 691 F.2d 196 (4th Cir. 1982). South Carolina's Homeland Security Act, codified at S.C. Code Ann. § 17-30-30 et seq., similarly regulates the interception of oral communications. Under general rules of statutory construction, a jurisdiction adopting legislation from another jurisdiction imports with it the judicial gloss interpreting that legislation. *State v. Whitner*, 399 S.C. 547, 732 S.E.2d 861 (2012). Federal courts interpreting Title III have recognized the vicarious consent doctrine, allowing a parent to consent on a minor child's behalf if done in good faith and for the child's best interests. *Kroh v. Kroh*, 152 N.C. App. 347, 567 S.E.2d 760 (2002). However, this doctrine is strictly limited to protecting minors and does not extend to surreptitious recording of an adult spouse, particularly one who is adverse to the victim. In assessing whether an interception violates Title III, courts evaluate the reasonableness of the actual interceptions in light of the purpose and the totality of the circumstances. *Scott v. United States*, 436 U.S. 128, 98 S. Ct. 1717 (1978). Legislative history confirms that Congress specifically intended Title III to encompass acts of wiretapping incident to divorce litigation, which was one of the

primary areas in which private electronic surveillance was widespread. *Nalley v. Nalley*, 53 F.3d 649 (4th Cir. 1995). While *Lovisi* addressed the forfeiture of privacy when spouses invited an observer into their bedroom, the holding affirms the foundational principle that privacy attaches to the marital bedroom. *Lovisi v. Slayton*, 539 F.2d 349 (4th Cir. 1976). Axelrod did not invite any third party into the bedroom during his communications. He was alone, and his expectation that his oral communications would remain private was objectively reasonable. The ongoing divorce proceedings do not defeat this privacy interest. Axelrod continued to reside lawfully in the home until he was assaulted by Defendant Le May on November 28, 2025. Nothing in Fourth Circuit precedent suggests that initiating divorce proceedings converts the shared marital bedroom into a space where neither party may claim privacy when alone. To the contrary, each spouse retains individual privacy rights in spaces within the home when they occupy those spaces without the other spouse present. The Supreme Court has emphasized that a person's expectation of privacy does not require perfect certitude that it is being respected at all times. *Rakas v. Illinois*, 439 U.S. 128, 99 S. Ct. 421 (1978). Axelrod's awareness that Ericson had access to the bedroom did not mean he forfeited all privacy when she was not present. Access rights do not equal surveillance rights. The fact that Ericson could enter the bedroom did not grant her the right to electronically monitor the Axelrod's communications when he was alone in that space. Axelrod did not invite Defendant Le May into his bedroom. Ericson's and Le May's surreptitious recording of Axelrod's communications constituted an illegal interception under both federal law and South Carolina's wiretap statute. Ericson's and Defendant Le May's conduct—concealing a device, recording without consent, and intercepting communications to which they were not a party—violates the core privacy protections Title III was designed to enforce. The totality of the circumstances confirms the unreasonableness of the interception: the recording occurred in the most private space of the home, targeted a person with a high

expectation of privacy, and involved no legitimate law enforcement purpose or parental protection rationale.

XI. Axelrod Had an Expectation of Privacy in His Home Computer and Email Account

28. Axelrod had the same reasonable expectation of privacy as to his email account and his home computer as he did in his oral communications. Axelrod had no prior knowledge and never consented to Ericson's and Defendant Le May's access and copying of his privileged and confidential electronic communications. The conspirators' access of Axelrod's email by Ericson and Defendant Le May was completely unauthorized and in violation of the Stored Communications Act and, where interceptions occurred, the South Carolina Homeland Security Act.

XII. Defendant Le May's Tortious Acts

29. Tortious acts against Axelrod committed by Defendant Le May included Trespass to Chattels, Invasion of Privacy, and Civil Conspiracy.
30. Defendant Le May trespassed Axelrod's chattels by obtaining and retaining copies of Axelrod's electronic communications including personal and attorney client privileged emails without his consent.
31. Defendant Le May invaded Axelrod's privacy by eavesdropping and/or attempting to eavesdrop on his private conversations using the audio recording device that Defendant Le May and Ericson secreted in Axelrod's bedrooms without his knowledge or consent.
32. Defendant Le May also invaded Axelrod's privacy by accessing and reading Axelrod's private and attorney client privileged electronic communications without his consent and

- using those ill-gotten electronic and oral communications in the conspiracy allowing Ericson to gain an advantage in the marital litigation between Axelrod and Ericson.
33. It is possible, given that Defendant Le May (nor Ericson) has not returned or destroyed Axelrod's intercepted oral communications and emails, that Defendant Le May and Ericson are still accessing Axelrod's stored electronic communications including his attorney client privileged communications and are still using Axelrod's intercepted oral communications. We will seek discovery on this issue.
34. Axelrod brings this action pursuant to the South Carolina Homeland Security Act, S.C. Code Ann § 17-30-10, et seq., the Electronic Communications Privacy Act, 18 U.S.C. § 2510-2522, the Stored Communications Act, 18 U.S.C. § 2701-2712, as well as Invasion of Privacy/Wrongful Intrusion, Trespass to Chattels, Outrage, and Civil Conspiracy.

FOR A FIRST CAUSE OF ACTION

(Violations of the South Carolina Homeland Security Act and
The Electronic Communications Privacy Act)

35. All allegations elsewhere in this Complaint are alleged herein as if repeated verbatim.
36. Axelrod brings this cause of action pursuant to the South Carolina Homeland Security Act, *S.C. Code Ann § 17-30-10, et seq.*, and Title I of the Electronic Communications Privacy Act, *18 U.S.C. §§ 2510-2522*.
37. The State Act substantially mirrors the Federal Act in its prohibitions of electronic eavesdropping and the interception of electronic communications. Both acts allow for a private right of action to victims of a violation of the acts. The State Act allows for substantially higher liquidated damages.
38. *S.C. Code Ann. § 17-30-10 et seq.*, which is South Carolina's version of Title I of the Electronic Communications Act, makes it unlawful for a "person" to intercept electronic,

- oral, and wire communications.
39. Axelrod alleges that his electronic and oral communications have been intercepted, intentionally accessed/recorded, disseminated, and used without his authorization in violation of the foregoing chapters and brings this civil cause of action against the Defendant Le May, who accessed, intercepted, disseminated, used, and procured Axelrod's private electronic and oral communications.
40. Axelrod further alleges that Defendant Le May using a hidden audio recorder secreted in Axelrod's bedroom eavesdropped on Axelrod and made audio recordings of Axelrod without his knowledge or consent, and Defendant Le May and Ericson used and disseminated said recordings in furtherance of Defendant Le May's and Ericson's plot to irreparably damage Axelrod's reputation and to gain an advantage in the pending divorce action.
41. Based thereon, Axelrod is entitled to an immediate Order and injunction restraining Defendant Le May and her agents, including Ericson, from any further dissemination or use of Axelrod's private electronic communications, and any covertly obtained audio recordings of Axelrod.
42. Pursuant to §§ 17-30-10 et seq. and 17-30-135 of the 1976 Code of Law, State of South Carolina, as amended, Axelrod is further entitled to an award of actual damages against Defendant Le May, but not less than liquidated damages computed at the rate of \$500.00 per day for each day of violation or \$25,000.00, whichever is greater, alleging that, upon information and belief, from the date of the first interception, disclosure continues upon the public records and elsewhere through this date and that Axelrod is entitled to damages at the rate of \$500.00 per day for every day on which the foregoing records continue to be

used and disclosed. Pursuant to the holding in *DirecTV, Inc. v. Galasso*, No. 3:04CV00055, 2005 U.S. Dist. LEXIS 3078 (W.D. Va. Feb. 24, 2005). Axelrod may be entitled to a separate damage award for each covert device secreted in his home, at the discretion of the Court. Axelrod would be entitled to at least minimum statutory damages of \$25,000. Further discovery will be conducted to arrive at the total damages resulting from Defendant Le May's acts.

43. Based on the holding in *DirecTV v. Galasso*, Axelrod believes that he should be entitled to separate damage awards against Defendant Le May for the "interception," "use," and "disclosure" of his intercepted oral communications, and a separate damage award for his intercepted electronic communications. This would bring the minimum statutory damages awarded against Defendant Le May to \$100,000.
44. Axelrod is additionally entitled to punitive damages in an amount to be established by the Court, due to Defendant Le May's willful violation of the Homeland Security Act, together with a reasonable attorney's fee and other litigation costs reasonably incurred and such other legal and equitable relief as the Court deems just and proper.

FOR A SECOND CAUSE OF ACTION
(Violation of the Stored Communications Act)

45. All allegations elsewhere in this Complaint are alleged herein as if repeated verbatim.
46. 18 U.S.C § 2701 et. seq. sets forth that whoever intentionally accesses without authorization a facility through which an electronic communication service is provided or intentionally exceeds an authorization to access that facility and thereby obtains, alters, or prevents authorized access to wire or electronic information while it is in electronic storage in such system shall be punished as provided in subsection (b) of that section.

47. The Stored Communications Act also makes it unlawful for anyone to intentionally access without authorization a facility through which an electronic information service is provided.
48. Axelrod is informed and believes based on the testimony and discovery responses of Ericson and her admitted coordination with Defendant Le May in these acts that accessed and obtained Axelrod's electronic communications from his email account, Defendant Le May actively participated in the unlawful access and theft of Axelrod's confidential and attorney privileged electronically stored communications while in electronic storage at an electronic information service provider. Additionally, Axelrod alleges that Defendant Le May assisted Ericson's use of this unlawful access to Axelrod's stored electronic communications to gain an advantage in the divorce action between Axelrod and Ericson and to cause actual and emotional damages to Axelrod, and she has succeeded.
49. Under § 2707 of the Stored Communications Act the Court may assess as damages in a civil action an amount equal to the sum of the actual damages suffered by Axelrod and any profits made by the violator as a result of the violation, but in no case shall Axelrod be entitled to recover or receive less than the sum of \$1,000 per access of his electronic communications. When the violation is willful or intentional, as it was here, the Court may assess punitive damages. In the case of a successful action to enforce liability under this section, the Court may assess the costs of the action, together with reasonable attorney fees determined by the court.
50. Therefore, Axelrod believes he is entitled to \$1,000 damages against Defendant Le May for each and every violation of this Act (each email accessed from the email account)

and punitive damages for Defendant Le May's willful and intentional conduct. Further discovery from Defendant Le May and Ericson and further forensic examination of Axelrod's computer and email account shall determine the number of violations of the Act that Defendant Le May committed, and the exact dollar amount of liquidated damages due to Axelrod as a direct and proximate result of Defendant Le May's actions. Additionally, Axelrod believes he is entitled to recover costs and reasonable attorneys' fees against Defendant Le May as provided by the Act.

FOR A THIRD CAUSE OF ACTION

(Invasion of Privacy – Publicizing of Private Affairs)

51. All allegations elsewhere in this Complaint are alleged herein as if repeated verbatim.
52. Defendant Le May gave publicity to matters that are private to Axelrod. The disclosure of these confidential and legally privileged electronic communications and audio recordings of Axelrod's private oral conversations would be highly offensive to a reasonable person and is not of legitimate public concern. Further, Axelrod did not consent to the disclosure of his confidential electronic communications or the recording of his private conversations.
53. As a result of Defendant Le May's actions as a crucial part of the conspiracy with Ericson, Axelrod has suffered damages and should be awarded actual and punitive damages against Defendant Le May, together with such other legal and equitable relief as the Court deems just and proper.

FOR A FOURTH CAUSE OF ACTION

(Invasion of Privacy – Wrongful Intrusion and Outrage)

54. All allegations elsewhere in this Complaint are alleged herein as if repeated verbatim.

55. Defendant Le May's use of a hidden audio device to record Axelrod without his knowledge or consent in his private bedroom constituted a wrongful intrusion into his privacy in a location where Axelrod had a legitimate expectation of privacy recognized by society.
56. Defendant Le May's wrongful intrusions consisted of eavesdropping, spying, and prying into Axelrod's private affairs.
57. The wrongful intrusions concerned those aspects of Axelrod, his personal relationships, and communications which one normally expects to be free from exposure by Defendant Le May and her agents.
58. Defendant Le May's conduct was intentional, substantial, and unreasonable, and was of a nature that would cause mental injury to a person of ordinary feelings and intelligence in the same circumstances. Axelrod has suffered a mental injury / outrage as a result of his discovery of Defendant Le May's covert recording device and Defendant Le May's publishing of these covert recordings and stolen emails in allegations contained in Ericson's divorce Complaint.
59. As a direct and proximate result of Defendant Le May's actions, Axelrod has suffered damages and should be awarded actual and punitive damages against Defendant Le May, together with such other legal and equitable relief this Court deems just and proper.

FOR A FIFTH CAUSE OF ACTION

(Trespass to Chattels)

60. All allegations elsewhere in this Complaint are alleged herein as if repeated verbatim.
61. Defendant Le May conspiring with Ericson took both electronic chattels, in the form of Axelrod's private emails, and used without consent (trespassed) certain electronic

devices of Axelrod including his desktop computer and its accessible storage which are Axelrod's physical chattels.

62. Defendant Le May participated with Ericson in the unauthorized access and copying of Axelrod's electronic communications including the data from his email account and desktop computer without Axelrod's knowledge or consent, thus trespassing his electronic and physical chattels. Axelrod's email account was accessed without Axelrod's knowledge or consent to send copies of his confidential and legally privileged email to Defendant Le May which she held in "safe keeping" for Ericson. Axelrod's desktop computer, his email Account, and his emails in the Hotmail account are all examples of Axelrod's chattels (intellectual and physical property). The unauthorized transmission of data over Axelrod's email account from Ericson to Defendant Le May was another trespass to Axelrod's chattels.
63. Axelrod has been deprived exclusive use and access to these electronic, intellectual, and physical chattels by Defendant Le May.
64. Mounting the unauthorized intrusion of Axelrod's email account required considerable knowledge of the inner workings of Axelrod's communications and computing infrastructure and skill in circumventing the safeguards employed to protect said infrastructure and the data contained therein. Defendant Le May and Ericson's successful intrusions, accesses, and interceptions are proof in themselves of the willfulness and intentional nature of Defendant Le May's conduct in depriving this Axelrod of his chattels and violating *SC Code of Laws § 17-30-20*.
65. The unauthorized access of Axelrod's online communications required considerable knowledge and skill, and was an intentional act designed to deprive Axelrod of access to

his online resources that were required to conduct private electronic communications in his personal life and legal practice. Additionally, Defendant Le May and Ericson accessed Axelrod's attorney client privileged communications, giving Defendant Le May and Ericson an unfair advantage in the divorce action they instigated against Axelrod.

66. Axelrod is entitled to actual damages, but not less than nominal damages and, if the conduct was willful, punitive damages against Defendant Le May. Axelrod's actual damages include the cost of his digital forensics examiner and private investigator needed to investigate the trespass and to assess the security breach of his legally privileged communications. Punitive damages are called for in this case because Defendant Le May's trespass to Axelrod's chattels was willful.

FOR A SIXTH CAUSE OF ACTION
(Civil Conspiracy)

67. All allegations elsewhere in this Complaint are alleged herein as if repeated verbatim.
68. Defendant Le May and Carla Ericson jointly engaged in the attempted illegal interception of Plaintiff Stuart Axelrod's oral communications and email account which was intended to be used as the basis of accusations made against Axelrod in divorce proceedings initiated by Ericson. Ericson admitted under oath that she and Defendant Le May together "intercepted" Axelrod's Oral and Electronic communications. Accessing and copying the email required Ericson and Defendant Le May to trespass Axelrod's chattels including his desktop PC, Hotmail account, and the emails that were contained in his email account. Publishing the contents of Axelrod's trespassed emails, and intercepted oral communications in Ericson's Complaint for divorce invaded Axelrod's privacy causing him damages for the Invasion of Privacy and Outrage. As a result of Defendant

Le May's and Ericson's coordinated illegal and tortious conduct, Axelrod ultimately had to fight for the suppression of his illegally intercepted communications and Ericson's Complaint, which was itself a derivative work from the illegal interceptions, requiring Plaintiff to hire legal counsel and experts.

69. The elements of civil conspiracy in South Carolina were recently clarified by the South Carolina Supreme Court in *Paradis v. Charleston County School District*, 433 S.C. 562, 861 S.E.2d 774 (SC 2021). The *Paradis* court held, "a plaintiff asserting a civil conspiracy claim must establish (1) the combination or agreement of two or more persons, (2) to commit an unlawful act or a lawful act by unlawful means, (3) together with the commission of an overt act in furtherance of the agreement, and (4) damages proximately resulting to the plaintiff." (861 S.E.2d 780).

70. South Carolina code § 16-3-1700 defines harassment and stalking in this state.

"As used in this article:

(A) ***"Harassment in the first degree" means a pattern of intentional, substantial, and unreasonable intrusion into the private life of a targeted person that serves no legitimate purpose and causes the person and would cause a reasonable person in his position to suffer mental or emotional distress. Harassment in the first degree may include, but is not limited to:***

(1) following the targeted person as he moves from location to location;

(2) visual or physical contact that is initiated, maintained, or repeated after a person has been provided oral or written notice that the contact is unwanted or after the victim has filed an incident report with a law enforcement agency;

(3) surveillance of or the maintenance of a presence near the targeted person's:

(a) residence;

(b) place of work;

(c) school; or

(d) another place regularly occupied or visited by the targeted person; and

(4) vandalism and property damage." (SC Code 16-3-1700, ***Emphasis added***).

71. The audio recordings which captured the Defendant Le May and Ericson setting up the secreted audio device in Plaintiff's bedroom on October 1, 2025, Ericson's testimony at the unemployment hearing on June 9, 2026, and Ericson's answers to interrogatories in the divorce action clearly establishes that Defendant Le May and Ericson acted in concert to place the audio device to secretly capture Plaintiff's conversations in his bedroom (an aural interception), when neither Defendant Le May or Ericson were present. This is prima facie evidence of Defendant Le May's willful violations of both the South Carolina Homeland Security Act and the Electronic Communications Privacy Act's prohibitions on the eavesdropping on oral communications, and the conspirator's first-degree harassment by maintaining surveillance of Plaintiff in his residence.
72. The testimony and discovery responses by Ericson admitting that she "intercepted" Axelrod's privileged email account and sent copies of the emails from his computer to Defendant Le May for "safe keeping" establishes that Defendant Le May and Ericson conspired to access and obtain copies of Axelrod's confidential email account, including at least one privileged email from his divorce attorneys, to give Ericson an unfair advantage in the divorce litigation that she filed against Axelrod.
73. As a result of the publication of Axelrod's private communications, and private affairs, rumors spread amongst Axelrod's employees and clients. Because of the stress of these privacy invasions by Defendant Le May and Ericson, Plaintiff was placed at an unfair disadvantage in the domestic litigation filed by Ericson. This resulted in an as yet unknown loss to Plaintiff of at least \$1,000,000 in added expense to fight and settle the domestic litigation.

74. As a result of Defendant Le May's and Ericson's coordinated harassment, trespasses, and active successful attempts to illegally eavesdrop on Axelrod's oral and electronic communications, Axelrod has suffered great financial damages for which he is entitled to be compensated by an award against Defendant Le May. Le May's and Ericson's coordinated surveillance, and psychological and physical harassment of Axelrod drove him from the marital home.
75. Axelrod's proximate damages from Defendant Le May's and Ericson's conspiracy include the cost of his living expenses since November 28, 2025, the cost of his legal bills and expert fees (currently \$110,000), and his business losses (currently \$75,000).
76. Defendant Le May's willful, brazen, illegal and tortious acts that constituted the conspiracy against Axelrod justify punitive damages, and Axelrod therefore seeks an award of punitive damages.

THIS COURT'S POWER TO GRANT RELIEF

77. This Court has the equitable powers and statutory remedies under the various statutes to grant injunctive relief from Defendant Le May's continuing misconduct, including the interception and disclosure of Plaintiff's electronic communications, and the use and dissemination of Defendant's illegally made audio recordings of Axelrod.
78. This Court has statutory authority under South Carolina Code of Laws §17-30-135 to award Plaintiff actual damages against Defendant Le May, not less than liquidated damages of \$25,000.00 per violation, plus punitive damages, and reasonable attorneys' fees and court costs for the interception of Axelrod's electronic communications.
79. This Court has statutory authority under South Carolina Code of Laws §17-30-135 to award Axelrod actual damages, not less than liquidated damages of \$25,000.00, per

- violation, plus punitive damages, and reasonable attorneys' fees and court costs for against Defendant Le May for the eavesdropping interception of Plaintiffs' oral communications recorded on the hidden audio device that Defendant Le May assisted in secreting in Axelrod's bedroom.
80. This Court has the statutory authority under the Stored Communications Act (18 USC 2701 et seq.) to award Axelrod statutory damages of \$1000 per incident against Defendant Le May for each unauthorized access to Axelrod's stored electronic communications. For willful violations this Court can and should award punitive damages in addition to statutory damages against Defendant Le May.
 81. This Court has the equitable powers and statutory remedies to award damages to Axelrod for the invasions of privacy - publicizing of private affairs, invasion of privacy - wrongful intrusion, and outrage including actual and punitive damages against Defendant Le May together with such other equitable and reasonable relief the Court deems just and proper.
 82. This Court has the equitable powers and legal remedies to award damages to Axelrod for the many forms of financial, emotional, and tangible and intangible property injury that he has endured as a result of the civil conspiracy that Defendant Le May and Ericson perpetrated against Axelrod.

PRAYER FOR RELIEF

WHEREFORE, Axelrod requests that this Court pursuant to its own equitable and legal powers:

- A. Enter an Order enjoining Defendant Le May and her agents preliminarily and permanently from any further intrusion into Axelrod's internet accounts and stored communications and/or interception of Axelrod's electronic and oral

communications.

- B. Award Axelrod actual, not less than statutory, liquidated damages, and punitive damages against Defendant Le May for Defendant Le May's unauthorized and illegal interception of Axelrod's electronic communications and oral communications.
- C. Award Axelrod the greater of statutory or actual damages, punitive damages, reasonable attorney's fees and costs against Defendant Le May for the many violations of the Stored Communications Act.
- D. Award actual and punitive damages to Axelrod against Defendant Le May for the invasion of privacy - publicizing of private affairs, the invasion of privacy - wrongful intrusion and outrage.
- E. Award Axelrod judgment for reasonable attorneys' fees and the costs of bringing this action, as well as such other and additional relief as the Court may determine to be just and proper, against Defendant Le May.

Respectfully submitted,

/s/ Desa Ballard

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ATTORNEYS FOR PLAINTIFF

July 23, 2026

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

Stuart M. Axelrod,

Plaintiff

vs.

Ruth Le May,

Defendant.

) IN THE COURT OF COMMON PLEAS
) FIFTEENTH JUDICIAL CIRCUIT

) Case No.: 2026-CP-26-____

VERIFICATION

I, Stuart M. Axelrod, declare as follows:

1. I have reviewed the foregoing Complaint.
2. Regarding the allegations of which I have personal knowledge, I know or believe them to be true.
3. Regarding the allegations of which I do not have personal knowledge, I believe them to be true.

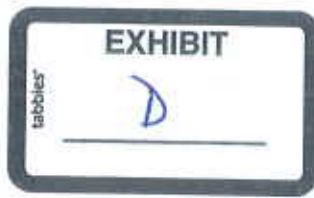
Stuart M. Axelrod

Sworn to and subscribed before me this

22nd day of July, 2026

Lois Burrow
Notary Public for South Carolina

My commission expires 2/22/2032



STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY	)	
	)	Case No.: 2026-CP-26-05684
Stuart M. Axelrod,	)	
	)	
Plaintiff	)	
vs.	)	
	)	MOTION TO CONSOLIDATE
	)	(Re: 2026-CP-26-07328)
Ruth Le May,	)	
	)	
Defendant.	)	
_____	)	

Plaintiff Stuart M. Axelrod moves this Honorable Court pursuant to Rule 42(a), SCRPC, for an order consolidating this action with *Axelrod v. Ericson*, also pending in Horry County, identified as Case No. 2026-CP-26-07328. This Motion is based on the following grounds:

This action was filed on July 23, 2026 and seeks relief against Defendant based on statutory violations of the South Carolina Homeland Security Act, S.C. Code §§ 17-30-10 *et seq.*, the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2523, the Stored Communications Act, 18 U.S.C. §§ 2701 *et seq.*, civil conspiracy, an assault upon Plaintiff by both Defendants against Plaintiff on or about November 28, 2025, trespass to chattels, and other causes of action.

The facts and legal claims in both actions are common, in that both Defendants engaged in the same acts and conspired with one another to harm Plaintiff and there are both common issues of fact and law, such that the two actions should be consolidated with one another for all purposes including discovery and trial.

On information and belief, the instant action is less than eight (8) weeks old, no discovery responses from Defendant Le May have yet been received, no depositions have been taken, and the only motion currently pending in the instant matter is a Motion to Compel against Defendant Le May that was filed September 9, 2026.¹

Plaintiff is informed and believes that consolidation of the two actions would serve the interests of judicial economy in that it will prevent duplication of both legal and judicial resources and would obviate in favor of streamlined proceedings on both actions.

Plaintiff would show that Defendant Le May is appearing in this matter *pro se* so no consultation with her is required in connection with the filing of this motion.

Respectfully submitted,

/s/ Desa Ballard

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ATTORNEYS FOR PLAINTIFF

September 15, 2026

¹ As of the date of this filing, Defendant *Le May* may still be contesting service of the Motion to Compel upon her. See Affidavit of Service filed September 14, 2026.



The South Carolina Court of Appeals

Stuart M. Axelrod, Petitioner,

v.

Carla Ericson, Respondent.

Appellate Case No. 2026-001137

ORDER

Petitioner's motion to suppress communications pursuant to the South Carolina Homeland Security Act (the Act) is currently pending before this court. *See* S.C. Code Ann. §§ 17-30-10 to - 145 (2014). Respondent instituted a divorce action against Petitioner in the family court on December 8, 2025, bearing the case number 2025-DR-26-2774. Petitioner filed this motion to suppress on May 14, 2026, after learning during the course of discovery that Respondent potentially intercepted his communications in violation of the Act. Thereafter, on May 15, 2026, Respondent filed a Stipulation of Dismissal Without Prejudice with the family court and filed a new action bearing the case number 2026-DR-26-1083. To avoid confusion with future filings, we ask the family court to consolidate 2025-DR-26-2774 and 2026-DR-26-1083 and use 2025-DR-26-2774 as the case number for all future filings.

Furthermore, we believe additional discovery is required before this court can rule on Petitioner's motion; thus, we certify the family court to supervise additional discovery relating to the Petitioner's motion and to issue a report with its proposed findings as to what, if any, of Respondent's actions constituted violations under the Act. *See* S.C. Code Ann. § 14-8-280 (2017) ("[W]henever the determination of any question of fact shall be necessary to the exercise of the jurisdiction conferred upon the Court of Appeals, the court may frame an issue therein and certify such issue . . . to the circuit court of the county in which the cause of action has arisen."). The family court shall consult with the parties in any manner it deems appropriate to resolve any discovery requests relevant to the motion to suppress and shall oversee the completion of this discovery within ninety (90) days of the

date of this order. The family court should prioritize the collection and analysis of any electronic devices referenced in the parties' requests and has the authority to extend these deadlines to ensure these devices are properly analyzed. Should the family court extend these deadlines, the family court must notify this court within ten days of its decision to do so. Thereafter, the family court shall have sixty (60) days to conduct any hearing it deems appropriate and to present its report and the collected discovery to this court. *See id.* ("The Court shall also have the same powers as are now possessed by the circuit courts of the State for the appointment of referees to take testimony and report thereon, under such instructions as may be prescribed by the court . . .").

FILED
Sep 01 2026



FOR THE COURT

Columbia, South Carolina

cc:

Richard Giles Whiting, Esquire
Steven Marc Abrams, Esquire
James Thomas McLaren, Esquire
Joshua McNeil Calder, Esquire
Alexandra DeJarnette Varner, Esquire
Heather Smith von Herrmann, Esquire
The Honorable Renee Elvis
The Honorable Coreen B. Khoury

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Commons Pleas
2026-CP-26-07328

Family Court Case Number
2025-DR-26-2774

Appellate Case No.

Carla Ericson,

Petitioner

v.

Stuart M. Axelrod,

Respondent

PROOF OF SERVICE

Let it be known: I affirm that I Shannon Nagy am an employee of the von Herrmann Law Firm and hereby state that I have delivered the following documents in connection with the above-named action by electronically this 9th day of October, 2026 to the following addresses:

Steven M. Abrams, Esq.
steve@abramsforensics.com

Desa Ballard, Esq.
rdesab@desaballard.com

Conway, South Carolina


Shannon Nagy

RECEIVED

Oct 09 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Commons Pleas
2026-CP-26-07328

Family Court Case Number
2025-DR-26-2774

Appellate Case No.

Carla Ericson,

Petitioner

v.

Stuart M. Axelrod,

Respondent

VERIFICATION OF CARLA ERICSON

PERSONALLY appeared before me the Defendant in the foregoing action, who being duly

sworn, deposes and says:

- (a) That this deponent has read the responses contained in the attached pleading.
- (b) That the attached pleading was prepared by this Deponent's attorney based upon information this Deponent has personally furnished to said attorney.
- (c) That the responses contained in the attached pleading are true and correct and are based on upon personal knowledge of this Deponent, except for those allegations which are based upon this Deponent's information and belief, and, as to those, this Deponent verily believes the same to be true.
- (d) That this Deponent understands that this Verification is sworn to and given under oath.



Carla Ericson

William B. von Herrmann, Esquire†
bvhlaw00@gmail.com

†Certified Civil Court Mediator
†Certified Family Court Mediator

Heather S. von Herrmann, Esquire*
hvh@vhlf.pro

October 9, 2026

VIA EMAIL AND U.S. MAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED
Oct 09 2026
SC Court of Appeals

RE: Appellate Case No. _____
Carla Ericson/ Stuart M. Axelrod
Court of Common Pleas Case Number: 2026-CP-26-07328
Family Court Case Number: 2025-DR-26-2774

Dear Ms. Kitchings:

Please find enclosed the following documents in the above-entitled action:

- (1) Motion to Suppress Electronic Communications with Exhibits and Proof of Service;
- (2) A check in the amount of \$50.00 for the filing fee.

Sincerely,

VON HERRMANN LAW FIRM


William B. von Herrmann

WBvH/sn
Enclosures