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Oct 14 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

James J. Wegmann, Master-In-Equity

Lower Court Case No. 2018-CP-07-00793

Benny Hudson Seafood Corp., Respondent,

v.

Geraldine White and Craig White, Defendants,

of whom Geraldine White is the Appellant.

Appellate Case No. 2026-000660

RESPONDENT'S REPLY TO APPELLANT'S RETURN TO
MOTION TO STRIKE THE RECORD ON APPEAL

Appellant's Return concedes that the Record on Appeal she filed is incomplete. With her Return, Appellant produced pages 156-189 which solves some of the missing designations. However, several important designations are still missing.

1. Appellant's Declaration in Support of Motion to Set Aside Entry of Default is not in the Record.

Appellant contends her Declaration, filed October 30, 2018, appears within Index item 12 at pages 40–66 of the Record. (Appellant's Return p. 2, par. 4). It does not. The Record includes Appellant's Motion to Set Aside Default and her Memorandum in Support of her Motion to Set Aside Default. However, the Record does not include her "Declaration In Support of Motion to Set Aside" which was also filed on October 30, 2018 along with the motion and memo. This

Declaration was filed with the circuit court, considered by the circuit court, referenced in footnote 15 of the March 6, 2026 Order—the order under appeal in this case—and was designated by Respondent to be included in the Record on Appeal. Accordingly, the Declaration must be included in the Record on Appeal and it remains missing from the Record.

2. Two exhibits to Respondent’s Memorandum in Opposition that Respondent’s brief cites are still missing.

Appellant states in her Return that she will “address” Exhibits 1–13 to Respondent’s January 12, 2026 Memorandum in Opposition “to the extent omitted.” (Appellant’s Return pp. 3–4, par. 9). Two of those exhibits are cited in Respondent’s Initial Brief and are not in the Record: Judge Mullen’s “Order Granting Defendant John R. C. Bowen’s Motion for Summary Judgment,” filed November 24, 2025 in Case No. 2025-CP-07-00718 (Exhibit 10), and Judge Wegmann’s “Order on Pending Motions,” filed December 3, 2025 in Case No. 2018-CP-07-00804 (Exhibit 11). (RIB pp. 4–5, 14, 17).

The Return suggests that these orders belong to other cases and may not have been presented to the lower court. (Appellant’s Return p. 4, pars. 11–12). They were presented to the circuit court in this case and are relevant to this appeal. Respondent attached them to its Memorandum in Opposition, filed in this case. (R. p. 217). And Appellant designated that memorandum “with all attachments and exhibits.” (Appellant’s Second DOM p. 3, par. 18). She also designated the Order on Pending Motions by name. (Appellant’s First DOM p. 4, par. 32). Each of these items were presented to and considered by the circuit court and designated to be included in the Record on Appeal.

3. The transcript of the January 20, 2026 hearing is still missing from the Record.

Respondent’s Initial Brief also cites the transcript of the January 20, 2026 hearing before the Master-in-Equity. (RIB p. 6). Appellant designated that transcript, and it is not in the Record.

(Appellant's First DOM p. 3, par. 20; Appellant's Second DOM p. 3, par. 19). The Return does not contend the transcript is unavailable; it states only that Appellant will inquire about it. (Appellant's Return pp. 4-5, par. 13).

CONCLUSION

Respondent respectfully requests this Court grant its Motion to Strike the Record on Appeal and order Appellant to serve and file a corrected Record on Appeal that includes the restored pages and the matter identified above, with an accurate index.

Respectfully submitted,

s/Adam Ruffin

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This 14th day of October 2026.

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PROOF OF SERVICE

Pursuant to Rule 262(c)(2), SCACR, undersigned counsel hereby certifies that a true copy of the reply to appellant's return to the motion to strike the record on appeal in the above-referenced case has been served upon Geraldine White, by depositing it in the US Mail with sufficient postage attached addressed to 141 Lamotte Drive, Apt. A3, Hilton Head Island, SC 29926, on October 14, 2026.

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