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Oct 26 2026

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM PICKENS COUNTY
Court of Common Pleas**

Daniel E. Hunt, Special Referee
Appellate Case No. 2025-002085
Lower Court Case No. 2020-CP-39-00480
Neal E. Pfeiffer and Paulette H. Pfeiffer, Plaintiffs,
v.

Don Culff Homes, Inc., Donald Culff a/k/a Don Culff, Christopher Pettross, Maria Pettross a/k/a Maria Ferguson a/k/a Maria E. Ferguson, The M Ferguson Group LLC, 103 Woodland Circle Partners, A South Carolina General Partnership, World Business Lenders, LLC, Dina Claire Culff, and WBL SPO II, LLC, Defendants,
of whom Christopher Pettross and Maria E. Ferguson are Appellants,
and WBL SPO II, LLC, Neal E. Pfeiffer, and Paulette H. Pfeiffer are Respondents.

**APPELLANTS' OBJECTION TO RESPONDENT'S MOTION TO VACATE
AND REMAND AND MOTION FOR DIRECT DISMISSAL WITH
PREJUDICE**

Appellants Christopher Pettross and Maria E. Ferguson, appearing *pro se* in their individual capacities, respectfully submit this formal Objection to Respondent WBL SPO II, LLC's Motion to Vacate Order Appealed From and to Remand Case to Trial Court (referenced in the Court of Appeals Correspondence of October 13, 2026). Appellants move this Honorable Court to retain jurisdiction over Appellate Case No. 2025-002085, deny any remand to the Pickens County Court of Common Pleas, and enter a direct ruling dismissing Respondent's underlying foreclosure action with prejudice based on the documented evidentiary record.

I. AFFIRMATION OF INDIVIDUAL PRO SE STANDING

1. **Individual Pro Se Capacity:** Appellants Christopher Pettross and Maria E. Ferguson appear strictly *pro se* to defend their individual rights, residential interest in 103 Woodland Circle, Easley, South Carolina, and individual liability determinations.
2. **Direct Personal Aggrievement:** While The M Ferguson Group, LLC was named as the corporate borrower on the underlying note, the lower court's December 6, 2024 and September 15, 2025 orders entered personal judgment on an individual guaranty agreement against Maria E. Ferguson and adjudicated the

residential property occupied by Christopher Pettross and Maria E. Ferguson. Pursuant to Rule 201(b), SCACR, any party aggrieved in their personal and property rights has independent standing to prosecute this appeal *pro se*.

II. STATEMENT OF RECORD FACTS DEMONSTRATING LACK OF CANDOR AND PROCEDURAL EXCLUSION

The documented record before this Court establishes a continuous pattern of procedural exclusion and lack of candor across the underlying proceedings that renders remand to the lower court inequitable:

1. Written Email Evidence Refuting Counsel's Claims of Non-Response

(Exhibit J — Email Thread): Opposing counsel John S. Kay represented that Appellants failed to respond to Respondent's proposed motion to vacate and remand. The written record directly refutes this claim:

- On August 28, 2026, Appellant Christopher Pettross emailed Mr. Kay requesting to review the exact proposed motion and order while explicitly reserving all appellate rights.
- On September 19, 2026, Mr. Kay transmitted a draft proposed joint motion to vacate Special Referee Daniel E. Hunt's orders and remand the case.
- On September 24, 2026, at 8:01 AM, Appellants Christopher Pettross and Maria E. Ferguson sent formal written notice to Mr. Kay explicitly stating: *"For clarity and to avoid any misunderstanding, this email constitutes our written notice that we do not consent to, agree to, authorize, or join the proposed vacatur and remand."*
- On September 24, 2026, at 8:35 AM, Mr. Kay replied directly to Appellants' email: *"Thank you for your email, Mr. Pettross. So, let me know what your goal is here?"* Mr. Kay's written reply proves actual receipt of Appellants' response and explicit non-consent.

2. Undisclosed Judicial Conflict and Lack of Candor at the February 13, 2025 In-Chambers Hearing:

- Documentary evidence in the record establishes a September 17, 2019 Visa Debit receipt for \$2,500.00 and a signed Fee Agreement retaining Daniel E. Hunt as private counsel for Maria Ferguson regarding civil matters involving 103 Woodland Circle.

- Despite Appellants personally disclosing this prior attorney-client relationship directly to Special Referee Hunt in the presence of John S. Kay during the February 13, 2025 in-chambers hearing, neither Mr. Hunt nor Mr. Kay placed the conflict on the record, initiated mandatory recusal, or executed a written remittal agreement as required by Canon 3(E)(1) and Canon 3(F), Rule 501, SCACR.
- Now, after defending Special Referee Hunt's orders throughout the lower court and initial appellate proceedings, Mr. Kay's September 19, 2026 email belatedly concedes the need to *"refer the case to a different referee without a conflict of interest."* Given the combined decades of legal experience held by Mr. Kay and Mr. Hunt, both officers of the court knew the mandatory requirements of Canon 3(E) at the outset in February 2025. Failing to address recusal at the first opportunity and utilizing the conflicted referral until appellate scrutiny forced a tactical retreat demonstrates procedural manipulation rather than adherence to ethical obligations.

3. Invalidity of Judge Morgan's 2024 Orders Due to Adam B. Lambert's Dual Role as Sitting Pickens County Master-in-Equity and Listed Attorney of Record (Why the Ruling Cannot Stand as 'Law of the Case'):

- In his September 24, 2026 email and June 16, 2026 Motion to Dismiss, Mr. Kay asserts that Judge G.D. Morgan, Jr.'s October 18, 2024 and December 6, 2024 summary judgment orders constitute the unassailable *'law of the case'* (or law of the land) and that remand will merely result in another referee selling the property without ever addressing the merits.
- That premise fails as a matter of law. Appellants emphasize that Judge Morgan committed no unethical acts or wrongdoing whatsoever; he acted with complete integrity and ruled entirely in good faith upon the uncontested record presented to him at that time. Rather, the challenge rests strictly upon objective structural and procedural defects that were unknown to the court: specifically, Judge Morgan entered the 2024 orders *after* Appellants' retained counsel, Adam B. Lambert, had already been appointed as the sitting Pickens County Master-in-Equity while still remaining listed on the court docket as Appellants' sole attorney of record.
- Under S.C. Code Ann. § 14-11-70 and Canon 4(G), Code of Judicial Conduct, Rule 501, SCACR, a sitting Master-in-Equity is statutorily and ethically barred from practicing law or acting as private counsel in the equity court over which he presides, and under Rule 11(b), SCRCP, an

attorney of record remains responsible until a formal order of withdrawal is entered after notice to the client.

- Because Mr. Lambert remained listed on file as Appellants' counsel of record while serving as Pickens County Master-in-Equity, two fatal defects occurred simultaneously: (a) the Pickens County Clerk of Court's automated NEF system routed electronic service of critical filings and orders exclusively to Mr. Lambert while excluding Appellants from direct mail service under Rule 77(d), SCRPC; and (b) Mr. Lambert—legally incapacitated from representing Appellants as a sitting judicial officer—submitted zero evidence and mounted zero defense on Appellants' behalf prior to August–September 2024, when Appellants still believed they were actively represented.
- A summary judgment order procured while a litigant's listed attorney of record is simultaneously a sitting judicial officer of that same county court—resulting in total non-representation, zero evidence submitted, and an electronic notice blackout—is a legal nullity under *Chewning v. Ford Motor Co.*, 354 S.C. 72 (2003) and *Bartles v. Livingston*, 282 S.C. 448 (Ct. App. 1984). Because the law-of-the-case doctrine cannot validate a void judgment procured without notice or a real contest, Judge Morgan's 2024 ruling cannot stand as the 'law of the case.'

4. Counsel's Explicit Admission That Remand is a Foreclosure Trap:

- In his September 24, 2026 email reply (Exhibit J), opposing counsel John S. Kay explicitly admitted WBL's true objective in seeking remand: *"My client has already obtained judgment for foreclosure by the order of Judge Morgan... So regardless of how the current appeal results, the case goes back to the circuit court to refer it to another special referee to sell the property. The foreclosure judgment portion of the case is over."*
- Mr. Kay's own written admission exposes that Respondent's motion to remand is not an objective effort to cure procedural error, but a calculated tactical mechanism to bypass appellate review of the void mortgage, lock in Judge Morgan's uncontested 2024 order, and immediately execute a foreclosure sale of Appellants' home. This confession of purpose confirms that remanding this action would effectively extinguish Appellants' property rights without a true merits review, making direct dismissal with prejudice the only equitable remedy.

5. The Direct Nexus Between Respondent's Predatory Lending Scheme and Counsel's Lack of Candor:

- The procedural irregularities and lack of candor in the lower court are not isolated errors; they are the direct continuation of the predatory lending model employed by Respondent World Business Lenders, LLC / WBL SPO II, LLC. As documented in the record, WBL engineered a \$126,000 residential mortgage disguised as a commercial loan carrying an unconscionable **100.6% APR** interest rate and a **19-day default trigger** (from February 28, 2020 to March 9, 2020) designed to strip Appellants' home equity at 103 Woodland Circle.
- To bypass South Carolina consumer and residential borrower protections (S.C. Code Ann. § 37-5-108), WBL prepared the loan documents out-of-state in Rhode Island and executed the mortgage without the bona fide supervision of a licensed South Carolina attorney—notarizing the instrument on February 20, 2020, eight days prior to its stated February 28, 2020 creation date. Under *Matrix Financial Services Corp. v. Frazer*, 394 S.C. 134, 714 S.E.2d 532 (2011) and *Wachovia Bank, N.A. v. Coffey*, 398 S.C. 76, 698 S.E.2d 244 (Ct. App. 2010), a mortgage foreclosure is an action in equity, and a lender who acts with unclean hands or engages in the unauthorized practice of law is completely barred from equitable foreclosure relief.
- Because WBL's 100.6% APR instrument cannot survive a contested merits review under South Carolina equity jurisprudence, opposing counsel relied upon procedural exclusion—obtaining summary judgment while Appellants' listed counsel of record was serving as Pickens County Master-in-Equity, proceeding before conflicted Special Referee Daniel E. Hunt without disclosing his prior representation at the February 13, 2025 hearing, and continuing litigation against deceased co-defendants Dina Claire Culff and Donald Culff without estate substitution under Rule 25(a), SCRPC.

III. SPECIFIC RULES, STATUTES, AND CASE AUTHORITIES VIOLATED IN THE RECORD

To ensure this Objection is grounded strictly in verifiable law and record evidence rather than unsubstantiated allegation, Appellants identify the specific rules, statutes, and binding precedents violated in the proceedings below:

Legal Rule / Statute / Precedent	Mandatory Legal Standard	Grounded Record Evidence of Violation
Rule 3.3(a)(1), RPC, Rule 407, SCACR (Candor) & Rule 4.1(a), RPC	Prohibits a lawyer from knowingly making a false statement of fact or law to a tribunal or third person, or failing to correct a material misstatement.	Opposing counsel represented that Appellants failed to respond to the proposed remand motion, directly contradicted by the August 28, 2026 and September 24, 2026 emails and Mr. Kay's September 24, 2026 reply (Exhibit J); omission of Special Referee Hunt's conflict at the February 13, 2025 hearing.
Rule 8.4(d)–(e), RPC, Rule 407, SCACR (Misconduct)	Prohibits conduct involving misrepresentation or conduct that is prejudicial to the administration of justice.	Proceeding before a conflicted Special Referee in February 2025 without disclosure on the record, then seeking a unilateral remand in September–October 2026 to foreclose appellate review of the underlying record while asserting Judge Morgan's uncontested 2024 order bars all defenses.
Canon 3(E)(1)(b) & Canon 3(F), Rule 501, SCACR; <i>In re Barker</i> , 436 S.C. 610 (2022)	Mandates disqualification when a judge/referee previously served as a lawyer in the matter in controversy; remittal requires full on-the-record disclosure and	Visa Debit receipt (\$2,500.00, 9/17/2019) and signed Fee Agreement with Daniel E. Hunt regarding 103 Woodland Circle (Exhibit B); complete absence of any remittal

Legal Rule / Statute / Precedent	Mandatory Legal Standard	Grounded Record Evidence of Violation
	independent written agreement signed by all parties.	agreement in the record; Mr. Kay's September 19, 2026 email admitting the need for a referee " <i>without a conflict of interest.</i> "
Rule 60(b)(3)–(4), SCRPC; <i>Chewning v. Ford Motor Co.</i>, 354 S.C. 72 (2003)	Extrinsic fraud or structural conflict that deprives a party of a "real contest" before an impartial tribunal renders the resulting judgment void and requires vacatur.	Constructive abandonment by former counsel Adam Lambert prior to August–September 2024 (when he became Master-in-Equity), combined with Special Referee Hunt's undisclosed conflict, deprived Appellants of any real contest on the merits before Judge Morgan or Special Referee Hunt.
Rule 77(d), SCRPC & Rule 26(c), SCACR / Rule 6(e), SCRPC; <i>Bartles v. Livingston</i>, 282 S.C. 448 (1984)	Requires the Clerk of Court to serve notice of orders by mail on non-electronic <i>pro se</i> litigants and adds 5 days for mail service; lack of notice invalidates foreclosure decrees that prevent a real contest.	Pickens County NEF log dated 12/13/2023 (Exhibit A) proving orders were served electronically only on former counsel Adam Lambert and never served electronically on Appellants.
Rule 1.3, 1.4, & 1.16(d), RPC, Rule 407, SCACR; S.C. Code Ann. § 14-11-70; Canon 4(G), Rule 501, SCACR; Rule 11(b), SCRPC	Prohibits a sitting Master-in-Equity from practicing law; requires formal court-ordered withdrawal with notice to the client before counsel of record ceases	Judge Morgan's 2024 orders were entered while Adam B. Lambert was already serving as Pickens County Master-in-Equity (4/6/2023 MIE appointment in Exhibit C) yet remained

Legal Rule / Statute / Precedent	Mandatory Legal Standard	Grounded Record Evidence of Violation
	representation; requires diligence and communication.	listed on file as Appellants' counsel of record (Exhibit A — 12/13/2023 NEF Log), trapping court notices in an electronic blackout while no attorney could or did submit evidence for Appellants prior to August–September 2024.
S.C. Code Ann. § 40-5-310; S.C. Code Ann. § 37-5-108; <i>Matrix Financial Services Corp. v. Frazer</i> , 394 S.C. 134 (2011); <i>Wachovia Bank, N.A. v. Coffey</i> , 398 S.C. 76 (Ct. App. 2010)	Foreclosure is an equitable action; a lender is barred in equity from enforcing a mortgage procured through the unauthorized practice of law, unconscionable predatory loan terms, or unclean hands.	Predatory \$126,000 loan disguised as a commercial instrument at 100.6% APR with a 19-day default trigger (Exhibit I), notarized February 20, 2020 (8 days before its stated February 28, 2020 creation date) without South Carolina attorney supervision (Exhibit D).
Rule 25(a), SCRPC; <i>Antrum v. Hartsville Prod. Credit Ass'n</i> , 228 S.C. 201 (1955)	A deceased person lacks legal capacity to be sued; failure to substitute the estate for deceased parties creates a fatal jurisdictional defect in foreclosure judgments.	Death records showing co-defendants Dina Claire Culff died in April 2020 and Donald Culff died in February 2024 without formal substitution prior to the 2024 and 2025 orders (Exhibit G).

IV. MANDATORY PROTECTIVE DIRECTIVES IN THE EVENT OF ANY INVOLUNTARY REMAND

Appellants reiterate that they do **not** consent to a remand and maintain that a direct appellate dismissal with prejudice is the only remedy that prevents further procedural

abuse. However, in the event this Court orders any remand over Appellants' objection, Appellants request that the remand mandate expressly establish the following binding protections so Appellants are not subjected to the same structural exclusion that occurred previously:

1. **Preservation of Involuntary Status & Right to an Impartial Out-of-Circuit/Unconflicted Adjudicator:** A record determination that any remand is strictly **involuntary** over Appellants' written objection (Exhibit J), and a directive that neither Special Referee Daniel E. Hunt nor Pickens County Master-in-Equity Adam B. Lambert (Appellants' former counsel of record) may have any judicial, administrative, or referral involvement in Case No. 2020-CP-39-00480 or any matter involving 103 Woodland Circle, Easley, South Carolina (Canon 3(E)(1), Rule 501, SCACR).
2. **Unrestricted Right to Submit New & Previously Excluded Evidence on the Merits:** Because Appellants were unrepresented and structurally blocked from submitting evidence prior to August–September 2024 while Mr. Lambert remained listed on file as counsel of record after becoming Master-in-Equity (Exhibit A; Exhibit C), any remand mandate must vacate the 2024 and 2025 orders *in toto* and expressly direct that Appellants be permitted to open the record, conduct discovery, and submit all documentary, forensic, and testimonial evidence (including evidence of unauthorized practice of law under *Matrix Financial Services Corp. v. Frazer*, 394 S.C. 134 (2011), usury, and deceased-party jurisdictional defects under Rule 25(a), SCRCP) free from any "law of the case" bar.
3. **Guaranteed Unhindered Right to Individual or Joint Pro Se Participation Without Exclusion, Severance, or Procedural Preclusion:** Pursuant to S.C. Const. art. I, § 9 (Open Courts and Right to Remedy) and S.C. Code Ann. § 40-5-80 (confirming a citizen's right to prosecute or defend their own cause in person), Appellants Christopher Pettross and Maria E. Ferguson—whether appearing individually, jointly, or through one another—are expressly guaranteed the unhindered right to appear, file pleadings, present evidence, argue motions, and fully participate *pro se* in all hearings and proceedings concerning this action or the real property at 103 Woodland Circle until final conclusion of the litigation. Neither Appellant requires a power of attorney (POA) to represent, speak for, file on behalf of, or protect the joint and individual property and personal interests of the other, and the lack of a formal power of attorney shall not be used as a basis to exclude, invalidate, or compromise either Appellant's *pro se* standing or joint participation regarding 103 Woodland Circle. To ensure equal access to justice and guard against procedural exploitation, this right extends unconditionally.

Neither Appellant shall be excluded, severed, isolated, or procedurally defaulted from asserting or defending their joint or individual property and personal rights, nor shall it be used as a basis to restrict, deny, or compromise the standing or rights of either Appellant to defend their residential and financial interests in 103 Woodland Circle.

4. **Mandatory Ministerial Duties of the Clerk of Court (Non-Exclusion from Filings & Notice):** Because ministerial court officers have no discretion to refuse, delay, or withhold notice from *pro se* litigants under Rule 5(e) and Rule 77(d), SCRCF, any remand order must explicitly direct the Pickens County Clerk of Court to: (a) remove Adam B. Lambert as Appellants' counsel of record on the docket; (b) accept and promptly docket all filings submitted by Appellants *pro se*; and (c) serve all orders, hearing notices, and docket entries directly upon Appellants Christopher Pettross and Maria E. Ferguson by United States Mail (with the mandatory 5-day mailing extension under Rule 6(e), SCRCF) and electronic notification.
5. **Absolute Stay of Foreclosure Sale, Bar Against Deficiency/Attorney-Fee Shifting, and Protection Against Multi-Party Preclusion:** To prevent Respondent WBL SPO II, LLC or Respondents Neal E. Pfeiffer and Paulette H. Pfeiffer from exploiting a remand to execute a rapid judicial sale or render Appellants' defenses moot, any remand mandate must expressly order that: (a) all foreclosure sales, writs of assistance, eviction proceedings, and deficiency or personal guaranty enforcement actions against 103 Woodland Circle and Maria E. Ferguson are **stayed** pursuant to Rule 241, SCACR until a final, fully contested adjudication on the merits of Appellants' predatory lending, unconscionability (S.C. Code Ann. § 37-5-108), unclean hands (*Wachovia Bank, N.A. v. Coffey*), and unauthorized practice of law (*Matrix Financial Services Corp. v. Frazer*) defenses; (b) neither WBL SPO II, LLC nor the Pfeiffer Respondents may invoke collateral estoppel, res judicata, or law-of-the-case from the vacated 2024 or 2025 orders; and (c) no attorneys' fees, referee fees, or default interest at the predatory 100.6% APR rate may be assessed against Appellants or the property.

V. CONCLUSION AND PRAYER FOR RELIEF

Remanding this action to the Pickens County Court of Common Pleas will not cure the structural defects in the record; rather, as opposing counsel John S. Kay explicitly confessed in his September 24, 2026 email admission (Exhibit J), Respondent intends to use remand as a procedural device to lock in Judge Morgan's uncontested 2024 order and immediately sell Appellants' home regardless of the merits. Retaining

jurisdiction in the South Carolina Court of Appeals is absolutely vital to prevent respondents from weaponizing a remand to execute an immediate foreclosure sale under these uncontested orders without ever allowing a true, fair review on the merits. With Callison Tighe & Robinson, LLC withdrawing as co-counsel for WBL SPO II, LLC, leaving Mr. Kay as sole counsel for WBL alongside counsel for Neal and Paulette Pfeiffer, only a direct ruling from this Court retaining jurisdiction can halt this procedural scheme and prevent further grave inequities.

WHEREFORE, Appellants Christopher Pettross and Maria E. Ferguson respectfully pray that this Honorable Court:

1. **DENY** Respondent WBL SPO II, LLC's Motion to Vacate and Remand the case to the Pickens County Court of Common Pleas;
2. **RETAIN JURISDICTION** over Appellate Case No. 2025-002085 in the South Carolina Court of Appeals;
3. **VACATE** the September 15, 2025 and February 25, 2025 Orders of Special Referee Daniel E. Hunt and the underlying December 6, 2024 and October 18, 2024 summary judgment orders as void due to judicial disqualification under Canon 3(E)(1), Rule 501, SCACR, constructive abandonment of counsel, and extrinsic fraud under *Chewning v. Ford Motor Co.*;
4. **DISMISS WITH PREJUDICE** Respondent WBL SPO II, LLC's foreclosure claims and crossclaims against Appellants and the subject property at 103 Woodland Circle, Easley, South Carolina, as barred in equity under *Matrix Financial Services Corp. v. Frazer*, 394 S.C. 134 (2011), entering judgment in favor of Appellants;
5. **IN THE ALTERNATIVE, IF ANY REMAND IS ORDERED OVER APPELLANTS' OBJECTION**, issue a binding protective mandate ordering that: (a) both the 2025 Referee Orders and the 2024 Summary Judgment Orders are vacated so no 'law of the case' bar applies; (b) Appellants have the unrestricted right to submit all new and previously excluded evidence on the merits; (c) Appellants Christopher Pettross and Maria E. Ferguson, individually or jointly, are expressly guaranteed the unhindered right to represent themselves *pro se* and participate fully in all proceedings regarding this case or 103 Woodland Circle pursuant to S.C. Const. art. I, § 9 and S.C. Code Ann. § 40-5-80, safeguarding against any exclusion, severance, isolation, or procedural default, with the express clarification that neither Appellant requires a power of attorney (POA) to represent, speak for, file on behalf of, or protect the joint and individual property and personal interests of the other, and that the lack of a formal power of attorney shall not be used as a basis to exclude, invalidate, or compromise either Appellant's *pro se* standing or

joint participation regarding 103 Woodland Circle; (d) the Pickens County Clerk of Court is strictly enjoined from excluding Appellants and must accept all *pro se* filings and serve all notices directly on Appellants pursuant to Rules 5(e) and 77(d), SCRPC; and (e) all foreclosure sales, deficiency or guaranty enforcement, and fee assessments by WBL SPO II, LLC or the Pfeiffer Respondents are stayed until a full contested hearing on the merits of Appellants' predatory lending, unconscionability, unclean hands, and unauthorized practice of law defenses; and

6. **GRANT** such other and further relief as this Court deems just and proper.

RESPECTFULLY SUBMITTED,

s/ Christopher Pettross

Christopher Pettross, *Pro Se Appellant*
110 Perry Bend Circle, Apt 308
Easley, SC 29640
Phone: (864) 991-5473
Email: chrispettross@gmail.com

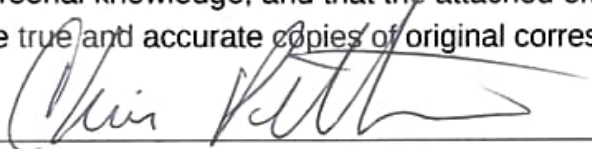
s/ Maria E. Ferguson

Maria E. Ferguson, *Pro Se Appellant*
110 Perry Bend Circle, Apt 308
Easley, SC 29640
Phone: (864) 991-5473
Email: miapfp@yahoo.com

Date: October 26, 2026

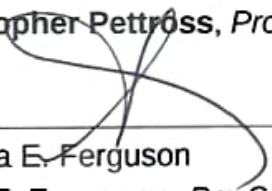
VERIFYING STATEMENT

We, the undersigned Appellants, declare under penalty of perjury under the laws of the State of South Carolina that the foregoing facts are true and correct to the best of our personal knowledge, and that the attached email exhibits and referenced court records are true and accurate copies of original correspondence and filings in this action.



s/ Christopher Pettross

Christopher Pettross, *Pro Se Appellant*



s/ Maria E. Ferguson

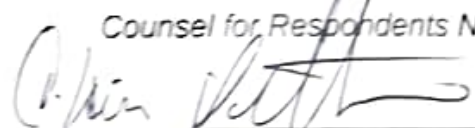
Maria E. Ferguson, *Pro Se Appellant*

Date: October 26, 2026

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of October, 2026, a true and correct copy of the foregoing Appellants' Objection to Respondent's Motion to Vacate and Remand and Motion for Direct Dismissal with Prejudice, together with Exhibit J (Email Correspondence) and the Notice of Change of Address, was served upon the following counsel of record by depositing the same in the United States Mail, first-class postage prepaid, and via electronic mail at the addresses listed below:

1. **John S. Kay, Esq.** (S.C. Bar #7914)
Hutchens Law Firm LLP
240 Stonenidge Drive, Suite 400 / P.O. Box 8237
Columbia, SC 29210 / 29202
Email: john.kay@hutchenslawfirm.com
Counsel for Respondent WBL SPO II, LLC
2. **Demetri "Jim" K. Koutrakos, Esq.** (S.C. Bar #11318) & **Harry A. Dixon, Esq.**
Callison Tighe & Robinson, LLC
P.O. Box 1390
Columbia, SC 29202-1390
Email: jimkoutrakos@callisontighe.com; harrydixon@callisontighe.com
(Withdrawing Counsel for Respondent WBL SPO II, LLC per Motion filed September 23, 2026)
3. **John B. Kelchner, Esq.**
Turner Padgett Graham & Laney, P.A.
P.O. Box 1473
Columbia, SC 29202
Email: jkelchner@turnerpadgett.com
4. **Matthew D. McCord, Esq.** (S.C. Bar #79030)
McCord Law Firm, LLC
109 East North Street
Greenville, SC 29601
Counsel for Respondents Neal E. Pfeiffer and Paulette H. Pfeiffer

 s/ Christopher Pettross & MARIA FERGUSON

Christopher Pettross, Pro Se Appellant

Date: October 26, 2026

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SC Court of Appeals

EXHIBIT J: VERBATIM EMAIL CORRESPONDENCE REGARDING PROPOSED REMAND AND NON-CONSENT

Source Record: Gmail Thread — Subject: Proposed Remand and Resolution

1. Email from Appellant Christopher Pettross to John S. Kay (August 28, 2026 at 6:42 PM)

- **From:** C P chrispettross@gmail.com
- **To:** johnkay@hutchenslawfirm.com
- **Date:** August 28, 2026, 6:42:51 PM EDT
- **Subject:** Subject: Proposed Remand and Resolution

Mr. Kay: Thank you for reaching out. I am open to considering your proposed resolution concerning vacatur of the September 15, 2025 Order, remand, and referral to a different Special Referee. Before taking any position on that proposal, however, I would need to review the exact proposed motion and proposed order. Please forward both for my review. Given the current posture of the case, I am also open to discussing whether WBL and all other necessary parties have an interest in pursuing a comprehensive global resolution of the underlying dispute and pending appellate proceedings, rather than limiting resolution solely to this portion of the appeal. Any broader resolution would need to provide genuine, comprehensive, and enforceable finality with respect to the parties and claims encompassed by such a resolution. My willingness to review your proposal or explore a broader resolution should not be construed as consent to remand or dismissal, waiver or abandonment of any appellate or other rights, admission of liability or indebtedness, or acceptance of any proposed terms. I look forward to reviewing the proposed documents. Respectfully, Christopher Pettross, Pro Se Appellant

2. Email from John S. Kay to Appellant Christopher Pettross (September 19, 2026 at 1:39 PM)

- **From:** John S. Kay johnkay@hutchenslawfirm.com
- **To:** C P chrispettross@gmail.com
- **Date:** September 19, 2026, 1:39:05 PM EDT
- **Subject:** Subject: Proposed Remand and Resolution
- **Attachment:** Proposed joint motion to vacate and remand appeal.pdf

Mr. Pettross – I have attached a draft of a proposed joint motion that would vacate the orders issued by Special Referee Dan Hunt and remand the case back to the Court of Common Pleas. The court can then hear motions and refer the case to a different

referee without a conflict of interest. If you have any questions, let me know. All three of us will have to sign the document and I can file it with the court of appeals. We need to do this as soon as possible because I believe your brief is due by before the end of the month. John S. Kay, Managing Partner, SC, Hutchens Law Firm LLP

3. Email from Appellants Christopher Pettross and Maria E. Ferguson to John S. Kay (September 24, 2026 at 8:01 AM)

- **From:** C P chrispettross@gmail.com
- **To:** John S. Kay johnkay@hutchenslawfirm.com, josiefp@pm.me
- **Date:** September 24, 2026, 8:01:20 AM EDT
- **Subject:** Subject: Proposed Remand and Resolution

Mr. Kay: Thank you for providing the proposed joint motion. For clarity and to avoid any misunderstanding, this email constitutes our written notice that we do not consent to, agree to, authorize, or join the proposed vacatur and remand. Our concerns include that our former counsel in this litigation, Adam Lambert, became the Pickens County Master-in-Equity, and that we personally disclosed Special Referee Hunt's prior attorney-client relationship with Maria directly to Hunt, in your presence. The matter thereafter proceeded, and we have identified no such remittal agreement in the record available to us. See Canon 3(E)-(F), Rule 501, SCACR; *In re Barker*, 436 S.C. 610, 875 S.E.2d 44 (2022). We have also identified additional evidence and issues not previously presented. Because the Record on Appeal cannot include matters not presented to the lower court, see Rule 210(c), SCACR, we preserve all rights to seek consideration of such matters through any legally available procedure should further proceedings occur. Accordingly, we intend to continue with the appeal. Our non-consent to the proposed vacatur and remand should not be construed as a rejection of settlement. We remain open to a comprehensive global settlement involving all necessary parties and welcome further discussion if all necessary parties are authorized and willing to pursue such a resolution. Nothing herein constitutes an admission or waiver of any claim, defense, objection, appellate issue, evidentiary matter, or remedy. Sincerely, Christopher Pettross, Maria E. Ferguson

4. Email from John S. Kay to Appellant Christopher Pettross (September 24, 2026 at 8:35 AM)

- **From:** John S. Kay johnkay@hutchenslawfirm.com
- **To:** C P chrispettross@gmail.com
- **Date:** September 24, 2026, 8:35:16 AM EDT
- **Subject:** Subject: Proposed Remand and Resolution

Thank you for your email, Mr. Pettross. So, let me know what your goal is here? You do realize that even if your appeal is successful, the case simply goes back to circuit court after Mr. Hunt's Order is vacated. My client has already obtained judgment for foreclosure by the order of Judge Morgan and that order was appealed by you and the appeal was dismissed. Therefore, that decision is now final. So regardless of how the current appeal results, the case goes back to the circuit court to refer it to another special referee to sell the property. The foreclosure judgment portion of the case is over. You are appealing the Order issued by Mr. Hunt denying your motion for reconsideration. My proposal was to agree to that and give you exactly what you want – that Order being vacated. Your appeal cannot cover anything else but that, so why waste time fighting it when I am giving you what you are asking for in your appeal. The court of appeals cannot relitigate the case. The only thing in their jurisdiction is the single order that you have appealed. The Master in Equity in Pickens has nothing to do with this at this point. I urge you to obtain legal counsel to explain the situation to you.

NOTICE OF CHANGE OF ADDRESS

PLEASE TAKE NOTICE that Appellants Christopher Pettross and Maria E. Ferguson hereby provide formal notice of their updated contact information and mailing address for service of all future pleadings, notices, orders, and correspondence in Appellate Case No. 2025-002085 and Lower Court Case No. 2020-CP-39-00480:

Appellants: Christopher Pettross & Maria E. Ferguson

Updated Mailing Address: 110 Perry Bend Circle, Apt 308, Easley, SC 29640

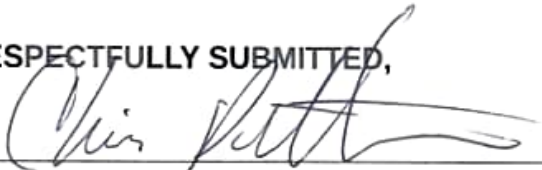
Phone Number: (864) 991-5473

Christopher Pettross Email: chrispettross@gmail.com

Maria E. Ferguson Email: josiefp@pm.me

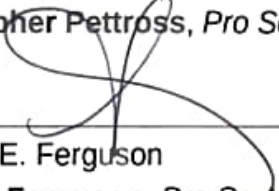
All counsel of record and the Clerk of Court are requested to update their service lists and records accordingly.

RESPECTFULLY SUBMITTED,



s/ Christopher Pettross

Christopher Pettross, Pro Se Appellant



s/ Maria E. Ferguson

Maria E. Ferguson, Pro Se Appellant

Date: October 26, 2026

Gmail

EXHIBIT
J

C P <chrispettross@gmail.com>

Christopher Pettross v. WBL SPO II, LLC**John S. Kay** <john.kay@hutchenslawfirm.com>

Fri, Aug 28, 2026 at 2:56 PM

To: "chrispettross@gmail.com" <chrispettross@gmail.com>

Hi, Mr. Pettross. I represent WBL in this matter. I wanted to see if I could discuss with you the possibility of resolving this part of the appeal to save us both a lot of time. You have appealed Judge Dan Hunt's Order of

September 15, 2025 denying your motion to stay and Rule 60(b) motion. I am okay with an agreement to vacate that Order and for the Court of Appeals to remand the case back to Circuit Court to have the Court refer the case to a different special referee than Mr. Hunt. That would prevent the need for this appeal.

If you are in agreement, please let me know and I will draft a motion to remand the case back to circuit court so that a new special referee can be appointed and the September 15, 2025 order can be vacated. I will send you the proposed motion to review and if we are in agreement, we can file the motion and the Court of Appeals can remand the case back to circuit court.

John S. Kay

Managing Partner, SC, Hutchens Law Firm LLP

t: 803-726-2700 | f: 803-726-2841

e: John.Kay@hutchenslawfirm.com | w: www.hutchenslawfirm.com

a: 715 S. 96th Ave, Suite 400, York, SC 29731



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Order (91525) (5).pdf
173K

Gmail

C P <chrispettross@gmail.com>

Subject: Proposed Remand and Resolution

C P <chrispettross@gmail.com>

Fri, Aug 28, 2026 at 6:42 PM

To: john.kay@hutchenslawfirm.com, C P <chrispettross@gmail.com>

Mr. Kay:

Thank you for reaching out.

I am open to considering your proposed resolution concerning vacatur of the September 15, 2025 Order, remand, and referral to a different Special Referee.

Before taking any position on that proposal, however, I would need to review the exact proposed motion and proposed order. Please forward both for my review.

Given the current posture of the case, I am also open to discussing whether WBL and all other necessary parties have an interest in pursuing a comprehensive global resolution of the underlying dispute and pending appellate proceedings, rather than limiting resolution solely to this portion of the appeal.

Any broader resolution would need to provide genuine, comprehensive, and enforceable finality with respect to the parties and claims encompassed by such a resolution.

My willingness to review your proposal or explore a broader resolution should not be construed as consent to remand or dismissal, waiver or abandonment of any appellate or other rights, admission of liability or indebtedness, or acceptance of any proposed terms.

I look forward to reviewing the proposed documents.

Respectfully,

Christopher Pettross
Pro Se Appellant

Gmail

C P <chrispettross@gmail.com>

Subject: Proposed Remand and Resolution**John S. Kay** <john.kay@hutchenslawfirm.com>

Sat, Sep 19, 2026 at 1:38 PM

To: C P <chrispettross@gmail.com>

Mr. Pettross – I have attached a draft of a proposed joint motion that would vacate the orders issued by Special Referee Dan Hunt and remand the case back to the Court of Common Pleas. The court can then hear motions and refer the case to a different referee without a conflict of interest.

If you have any questions, let me know. All three of us will have to sign the document and I can file it with the court of appeals. We need to do this as soon as possible because I believe your brief is due by before the end of the month.

John S. Kay

Managing Partner, SC, Hutchens Law Firm LLP

t: 803-726-2700 | f: 803-726-2841

e: John.Kay@hutchenslawfirm.com | w: www.hutchenslawfirm.com

a: 240 Sidenedge Drive, Suite 400 | Columbia, SC 29216



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 **Proposed joint motion to vacate and remand appeal.pdf**
84K

Gmail

C P <chrispettross@gmail.com>

Subject: Proposed Remand and Resolution

John S. Kay <john.kay@hutchenslawfirm.com>

Thu, Sep 24, 2026 at 8:34 AM

To: C P <chrispettross@gmail.com>

Thank you for your email, Mr. Pettross. So, let me know what your goal is here? You do realize that even if your appeal is successful, the case simply goes back to circuit court after Mr. Hunt's Order is vacated. My client has already obtained judgment for foreclosure by the order of Judge Morgan and that order was appealed by you and the appeal was dismissed. Therefore, that decision is now final. So regardless of how the current appeal results, the case goes back to the circuit court to refer it to another special referee to sell the property. The foreclosure judgment portion of the case is over.

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I urge you to obtain legal counsel to explain the situation to you.

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Mr. Kay:

Thank you for providing the proposed joint motion.

For clarity and to avoid any misunderstanding, this email constitutes our written notice that we do not consent to, agree to, authorize, or join the proposed vacatur and remand.

Our concerns include that our former counsel in this litigation, Adam Lambert, became the Pickens County Master-in-Equity, and that we personally disclosed Special Referee Hunt's prior attorney-client relationship with Maria directly to Hunt, in your presence. The matter thereafter proceeded, and we have identified no such remittal agreement in the record available to us. See Canon 3(E)-(F), Rule 501, SCACR; *In re Barker*, 436 S.C. 610, 875 S.E.2d 44 (2022).

We have also identified additional evidence and issues not previously presented. Because the Record on Appeal cannot include matters not presented to the lower court, see Rule 210(c), SCACR, we preserve all rights to seek consideration of such matters through any legally available procedure should further proceedings occur.

Accordingly, we intend to continue with the appeal. Our non-consent to the proposed vacatur and remand should not be construed as a rejection of settlement. We remain open to a comprehensive global settlement involving all necessary parties and welcome further discussion if all necessary parties are authorized and willing to pursue such a resolution.

Nothing herein constitutes an admission or waiver of any claim, defense, objection, appellate issue, evidentiary matter, or remedy.

Sincerely,

Christopher Pettross
Maria E. Ferguson

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2 attachments

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