

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

William F. Tomz and Francis W. Tomz,  
Individually and as Class Representatives,

Plaintiffs,

vs.

Capital Investment Funding, LLC, and  
Arthur M. Field,

Defendants.

IN THE COURT OF COMMON PLEAS

C.A. No.: 2008-CP-23-3665

CRIMINAL CONTEMPT  
ORDER

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SC Court of Appeals

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Paul Wickensimer, CJC, SCLC

This matter is before the Court pursuant to a Rule to Show Cause as to Arthur Field. On November 27, 2017, a hearing was held and Field made representations to this Court, under Oath, regarding the underlying facts of this litigation. The November 27<sup>th</sup> hearing was adjourned and the matter continued until Field's representations could be verified. Another hearing was held on July 2, 2018, in which counsel for the Receiver presented testimonial and documentary evidence. Field failed to appear but was represented by counsel.

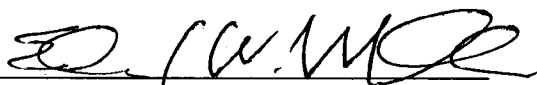
After hearing the evidence presented and comparing it to Field's remarks at the November 27<sup>th</sup> hearing, the Court finds that Field lied to the court and his conduct was "calculated to obstruct, degrade, and undermine the administration of Justice." *Brandt v. Gooding*, 368 S.C. 618, 628, 630 S.E.2d 259, 264 (2006). Therefore, this Court holds that Field is in Direct Criminal Contempt of this Court.

This Court orders Field either be imprisoned in the South Carolina Department of Corrections for a period of six months or pay a fine of \$1 Million dollars made payable to the Receiver in this case, Jerry Saad, and the source of the funds must be traceable and verifiable to

the satisfaction of this Court. Field must turn himself in to the Greenville County Detention Center at noon on July 3, 2018 to await transport to the South Carolina Department of Corrections, if he has not already paid the fine and provided the required source of those funds. Additionally, if Field fails to comply with this order a bench warrant will be issued for his arrest.

IT IS SO ORDERED.

July 2, 2018

  
The Honorable Edward W. Miller  
Presiding Judge, 13<sup>th</sup> Judicial Circuit