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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM ANDERSON COUNTY
Court of Common Pleas**

The Hon. R. Scott Sprouse, Circuit Court Judge

Case No. 2018-CP-04-01127

Appellate Case No. 2020-000818

Lisa Styles,

Respondent-Appellant,

v.

Southeastern Grocers, LLC
And BI-LO, LLC.

Appellants-Respondents.

THE RECORD ON APPEAL - VOL. 4

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1 was. On the statement?

2 BY MR. ROBINER:

3 Q. On your statement, where you handwrote in
4 12:42.

5 A. Yes, sir, I feel like it was.

6 Q. So if the first picture shows a video --
7 is a still of a video showing you getting called back
8 to the office at 12:16 and you're writing your
9 statement at 12:42, is it possible that you were only
10 in the meeting about 26 minutes, by the time you
11 wrote your statement?

12 MR. MURPHY: Object to the form.

13 THE WITNESS: I -- it's possible. I don't
14 know, sir.

15 BY MR. ROBINER:

16 Q. If you'd turn to the next page. And it
17 has a 3 at the bottom, so you can identify page 3.
18 In the upper left, the time stamp on that particular
19 screenshot is 12:56:56.19. Do you see that one?

20 A. Yes, sir.

21 Q. And is that Mr. Miller walking out to your
22 left?

23 A. It appears to be. Yes, sir.

24 Q. Okay. Do you remember exiting the office
25 around that time, 12:56 p.m. on May 23rd, 2018?

1 A. Again, everything was a blur. I don't
2 remember what time it was that I did any of this.

3 Q. Do you remember exiting the store at some
4 point during the meeting?

5 A. To go smoke. I asked to go smoke.

6 Q. And I believe I asked you this. You don't
7 recall whether you had your phone with you at that
8 time?

9 A. No, sir, I don't recall that.

10 Q. Where did you go, when you went to have
11 your cigarette?

12 A. We come out of the store, front door, you
13 can go to the left and there's a Coke machine. And
14 we usually would always smoke on the other side of
15 the Coke machine.

16 Q. So that's still considered the front of
17 the store?

18 A. Yes, sir.

19 Q. But you would go on the side of the Coke
20 machine?

21 A. Yes, sir. It's not inside the store, it's
22 outside.

23 Q. Right.

24 A. Okay.

25 Q. Yeah. Thank you for clearing that up.

1 Outside of the store, but the front facing the store,
2 so you're still looking at parking lots?

3 A. Yes, sir.

4 Q. Customers can see you smoking?

5 A. Yes, sir.

6 Q. Did Mr. Miller stand over there with you?

7 A. Within a few feet.

8 Q. Does he smoke?

9 A. No, sir, he does not. Not that I'm aware
10 of. He didn't that day.

11 Q. If you look at the next page, it appears
12 to show a time of 13:00:35.63. Does that appear to
13 be accurate about how long it would take for you to
14 have a cigarette outside? From 12:56 to 1:00 p.m.,
15 about four minutes?

16 A. Yes, sir.

17 Q. Does that sound correct about how long you
18 were outside?

19 A. I mean, that's roughly how long it would
20 take me to smoke a cigarette. So, yes, probably.

21 Q. Do you recall whether there were any other
22 breaks that day when you were meeting with Mr. Miller
23 and Mr. Duncan?

24 A. Not that I recall, no.

25 Q. Do you remember whether Mr. Miller and Mr.

1 Duncan walked in -- strike that.

2 Do you recall whether Mr. Miller walked in
3 in front of you or behind you?

4 A. I recall it being behind me, but again I'm
5 not positive of anything of that day.

6 Q. If you'd flip to the next page marked page
7 5 at the bottom. And on the left the time stamp
8 appears to be 13:10:43.20. Do you see that?

9 A. Yes, sir.

10 Q. Do you recognize the two individuals on
11 the left there in the forefront of the picture?

12 A. Mr. Brickman and the police officer.

13 Q. Is that Officer Glenn?

14 A. I'm assuming, yes, sir.

15 Q. Did -- does that refresh your recollection
16 at all as to whether he came in close to you
17 returning from a smoke break?

18 A. It does not.

19 Q. Do you have any reason, as you sit here
20 today, to dispute whether Mr. Glenn -- Officer Glenn
21 arrived at 1:06 p.m. on May 23, 2018?

22 MR. MURPHY: Object to the form.

23 THE WITNESS: I don't -- I mean, the
24 screenshot's saying what time he -- that the camera
25 caught him, but my mind does not recollect any time.

1 BY MR. ROBINER:

2 Q. Right. And I understand that. I'm not
3 asking you to trust that time. I'm asking you if you
4 have any reason to doubt that time.

5 MR. MURPHY: Object to the form.

6 THE WITNESS: Are you asking if I've ever
7 known the time on CCTV to be wrong?

8 BY MR. ROBINER:

9 Q. No. I'm asking you whether you have any
10 knowledge, any recollection of that day to say, oh,
11 it couldn't have been at 1:06 because this happened
12 or that happened.

13 A. No, sir. It was just a blur.

14 Q. So that time could be accurate?

15 A. It could be.

16 MR. MURPHY: Object to the form.

17 BY MR. ROBINER:

18 Q. If you look at the next page, the time
19 stamp is 13:14:28.48. Do you see that?

20 A. Yes, sir.

21 Q. Do you recognize that officer?

22 A. This looks like the back of officer -- I
23 want to say his last name is either David or Davis,
24 but I don't even remember him being there that day.

25 Q. Right. And just so you know, I don't

1 think he ever entered the meeting room, but he did
2 enter the store. But you appear to recognize him?

3 A. It looks -- it appears from the back, but
4 I cannot be positive without the face. It -- but the
5 body build appears to be -- I can't -- I don't know
6 if his last name is Davis or David, but that is who
7 it appears to be.

8 Q. Is he black?

9 A. The officer I'm recalling?

10 Q. Yes.

11 A. Yes.

12 Q. And he's bald?

13 A. Yes.

14 Q. Do you know whether he's still with the
15 Pendleton Police Department?

16 A. I have no idea, sir.

17 Q. And just from your testimony, I'm assuming
18 that you never met with Officer Davis or David,
19 assuming that's who it is, on that day, on May 23rd,
20 2018?

21 A. If I did, I don't recall it.

22 Q. If you turn to the next page, page 7 at
23 the bottom, is that Mr. Brickman on the right?

24 A. It appears to be, yes, sir.

25 Q. And he's speaking to that second officer,

1 whether it's David or Davis, that appears to be who
2 that is?

3 A. Yes, sir.

4 Q. Do you recall that during that time period
5 the Pendleton Police Department had another officer
6 that was black and bald and about that size?

7 A. I have no idea who was on their staff.
8 I'm sorry.

9 Q. And if that is an Officer Davis or Davies
10 or whatever his name is, do you know him in the same
11 manner as the other officers, just from him coming in
12 the store from time to time?

13 A. Yes, sir.

14 Q. And you don't know him outside of the
15 confines of BI-LO?

16 A. No, sir, I do not.

17 Q. If you look at the next page, marked page
18 8 at the bottom, and it appears to have a time stamp
19 on the left-hand side, 13:28:44.34. Do you see that?

20 A. Yes, sir, I do.

21 Q. And if you look at the very top of the
22 page, where the office is, it looks like you're
23 exiting the office, at that point, doesn't it?

24 A. I can't tell.

25 Q. There's a person entering -- exiting the

1 office?

2 A. I can't tell.

3 Q. Okay. Can you tell whether the door is
4 open?

5 A. I can tell that the door is open.

6 Q. Okay. Do you know whether this is
7 approximately what time the officers left that day?

8 A. I don't recall the time.

9 Q. Do you recall the officers meeting with
10 Mr. Brickman on the way out the door?

11 A. No, sir. I don't recall.

12 Q. And, again, if we're looking at this
13 picture on page 8 and we're viewing it from our view,
14 if you're going to the cash counter, it would be to
15 the right, correct?

16 A. Yes, sir.

17 Q. And if you're exiting the office, it would
18 be immediately to your left?

19 A. Yes, sir.

20 Q. And if you turn to the next page, page 9,
21 the time stamp is 13:28:55.66. Do you see that?

22 A. I do.

23 Q. Do you recall standing at the cash counter
24 waiting to purchase a money order and nobody was
25 there?

1 A. I don't recall.

2 Q. Do you believe this was approximately the
3 time that you went to purchase the money order?

4 A. I can't recall, sir.

5 Q. Did you ever get a receipt for the money
6 order?

7 A. I did.

8 Q. If you flip back a couple more pages,
9 you'll see a copy of the receipt for the money order.
10 You might have just skipped it. There you go.

11 A. Okay.

12 Q. Okay. If you look at the receipt on the
13 left-hand side, under the total number of items sold,
14 it says 5-23-18, and at 1:29 p.m. Do you see that?

15 A. I do.

16 Q. Okay. And it says, "Your cashier today
17 was Dylan," do you see that?

18 A. Yes, sir.

19 Q. Is Dylan the one who rang up your money
20 order on that day?

21 A. Yes, sir.

22 Q. Okay. So do you believe that time is
23 accurate, the 1:29 p.m. that's marked on the receipt
24 for the money order?

25 A. I feel like it is, yes, sir.

1 Q. Okay. So if we flip back to page 9. And
2 you're standing there, the camera is saying it's
3 approximately 1:28. That would appear to be
4 consistent with the receipt for the money order,
5 correct?

6 A. Yes, sir.

7 Q. So if you flip to the next page, does that
8 appear to be Dylan at the register?

9 A. It is Dylan.

10 Q. Did he ring up the money order from that
11 screen where he's standing on page 10?

12 A. That's where you pay for it at.

13 Q. Okay. And then it prints out somewhere
14 else?

15 A. Yes, sir.

16 Q. Okay. In this picture, where is Mr.
17 Duncan standing?

18 A. What I recall, he's right here somewhere
19 (indicating).

20 Q. And you're pointing to the bottom right --

21 A. Right in front --

22 Q. -- corner?

23 A. -- of the door of the office.

24 Q. So the office door where the meeting took
25 place is right at the bottom of this screen?

1 A. Okay. So, if -- this door, then there's a
2 wall about this wide (indicating), and then the
3 office door. Right here where this -- this is like
4 the door to enter into the cash office.

5 Q. Right.

6 A. Then there's a small wall. And then
7 directly beside it is the office. Like the win- --
8 there's a window right here (indicating), which is
9 the window to the manager's office.

10 Q. Okay. So is Mr. Duncan standing in the
11 office?

12 A. I recall him being outside of the office.

13 Q. Okay. Outside of the door frame?

14 A. Yes, sir. That's where I recall him
15 being. But I can't be positive, but I recall him
16 being right there.

17 Q. When Dylan is ringing you up, do you
18 recall having any conversations about -- with him
19 about why you're buying a money order?

20 A. No, sir, I do not recall.

21 Q. Do you recall any discussions with him?

22 A. I don't recall any -- I don't -- I mean, I
23 can't recollect anything.

24 Q. And then if you look at page 11, it looks
25 like you guys have shifted over to the left. Is that

1 where the money order would print out?

2 A. Yes, sir.

3 Q. And then the next page is the receipt that
4 we looked at. Do you recall Mr. Duncan and Mr.
5 Miller signing the stub from the money order?

6 A. Yes, sir. I do recall them writing
7 something on it.

8 Q. Did they hand you a copy of that?

9 A. Yes, sir. I feel like they did. Yes.

10 Q. If you look at the next page, it appears
11 that Dylan is handing you some papers at 1:30. Did
12 you transact any other business with Dylan on that
13 day?

14 A. Not that I recall, no, sir.

15 Q. Okay. The next page, page 14, it looks
16 like Officer Carl -- Carl Glenn is heading towards
17 the door. And it's marked as 13:31:06.26. Do you
18 see that?

19 A. Yes, sir, I do.

20 MR. MURPHY: Object to the form.

21 BY MR. ROBINER:

22 Q. Do you know whether that's approximately
23 the time that the officers left the premises that
24 day?

25 A. I don't know. I don't know when they

1 left.

2 Q. Do you have any reason to dispute that
3 that's the time that they left?

4 A. Not that I know of, no.

5 Q. And if you look at the back, the top of
6 the picture where the office is, can you tell, is the
7 door open or closed?

8 A. I can't tell, sir.

9 Q. Okay. And if you look at the last page,
10 the time stamp on there is 13:35. -- I'm sorry,
11 colon, 19.54. Do you see that? Page is marked 15 at
12 the bottom.

13 A. Yes.

14 Q. Do you recall leaving the store
15 approximately at 1:35 p.m. on May 30 -- or May 23rd,
16 2018?

17 A. I don't recall what time I left.

18 Q. Do you believe that it was within a few
19 minutes of buying the money order?

20 A. I feel like it was, because at some point
21 they asked if I had any -- if I wanted to get any of
22 my personal items. And I said, no, I just wanted to
23 leave. They could have it.

24 Q. Do you recall stopping at one of the
25 registers to hug somebody on the way out?

1 A. I don't recall. That whole day was...

2 Q. And the still shot that's depicted on page
3 15, does that appear that you're leaving for the day?

4 A. It does, yes, sir.

5 Q. For good, correct? Have you ever gone
6 back to the store since then?

7 A. I've been back once.

8 Q. And I apologize if I already asked you
9 that. Do you have any reason to dispute that you
10 were leaving the store for good that day on May 23,
11 2018 at 1:35 p.m., as depicted on page 15?

12 A. No, sir, I don't.

13 Q. If the time stamps in Exhibit 7 are
14 accurate, that would show that the police officers
15 arrived before you purchased the money order; isn't
16 that correct?

17 A. Yes.

18 Q. And, in fact, it appears there was only
19 about five minutes between you purchasing the money
20 order, before you walked out the door for the last
21 time on that day?

22 A. Yes, sir, it appears that way.

23 Q. If you can go back to -- I believe it's
24 Exhibit 6. It's the Complaint. I'd like to walk
25 through this with you. If you look at the first

1 page, under where it says the word "Plaintiff," you
2 have sued Michael Brickman, Southeastern Grocers,
3 LLC, BI-LO, LLC, Ken Miller, and Ronnie Duncan. Are
4 you aware that you sued all those entities and
5 individuals?

6 A. Yes, sir.

7 Q. Okay. What did Mr. Brickman do that
8 you're suing him for in this lawsuit?

9 MR. MURPHY: Object to the form.

10 THE WITNESS: I'm not an attorney, sir. I
11 don't know all the laws or anything like that.

12 BY MR. ROBINER:

13 Q. What did Mr. Brickman do that you feel is
14 wrong that he has caused you any damages?

15 MR. MURPHY: Object to the form.

16 THE WITNESS: Mr. Brickman knows that he
17 gave me permission to do that donation. Whether he
18 rang it up or whether he didn't ring it up, I don't
19 know. He sat in that office for three weeks watching
20 video after video trying to find something because I
21 had complained. And he felt like -- I feel like -- I
22 can't say that. I don't know how he felt about me
23 being -- but he knows -- he knew that I had
24 complained. I almost got arrested.

25 I would have had a hard time finding a job

1 and providing for my family. My name would have been
2 ruined in Anderson. He sent me into a state mentally
3 that it took me several -- several months to come out
4 of. (Witness crying.)

5 MR. MURPHY: Do you want to take another
6 break?

7 THE WITNESS: No, sir, I'm okay.

8 BY MR. ROBINER:

9 Q. When you were just referring to, "he sent
10 you in a state mentally that took you several months
11 to get out of," was that before the incident on
12 5 -- or the termination on 5-23-2018 that you are
13 referring to?

14 A. It was both.

15 Q. Okay. So, you are in a state mentally
16 earlier than the date that you were terminated?

17 A. I -- the state I was in before I was
18 terminated was -- I know this is going to sound off
19 the wall, I loved BI-LO. I loved what I did. I was
20 proud of the job that I did for that company and how
21 I represented them. To the point that I still have
22 my cashier name badge from 20 -- from when I first
23 went back to BI-LO, still to this day. He took that
24 joy of loving my job into just a job.

25 Q. And if we can break that down. It was

1 initially because of the way he treated you?

2 A. And the female -- other female staff
3 members. Watching that.

4 Q. Okay. The way that he treated you and
5 other female staff members. Was it always verbally?

6 A. Yes, sir.

7 Q. And other than reporting the way Mr.
8 Brickman treated you and other women in the store,
9 did you take any other action to get it to stop?

10 A. The action I took was going to three of my
11 superiors for help.

12 Q. Right. In addition to that?

13 A. No, sir. I felt like -- I thought that's
14 what they were there for.

15 Q. You were an at-will employee; is that
16 correct?

17 MR. MURPHY: Object to the form.

18 THE WITNESS: I don't know all the -- I
19 don't know all the ramifications of what at-will
20 employee means.

21 BY MR. ROBINER:

22 Q. Could you have quit your job at any time
23 or were you required to stay for a certain period of
24 time?

25 A. I could have quit.

1 Q. And could BI-LO or Southeastern have fired
2 you at any time?

3 MR. MURPHY: Object to the form.

4 BY MR. ROBINER:

5 Q. Or did you have a certain period of time
6 they agreed to keep you on as an employee?

7 MR. MURPHY: Object to the form.

8 THE WITNESS: I have no idea what they
9 had.

10 BY MR. ROBINER:

11 Q. Do you recall having a contract --

12 A. At one point I did -- I'm sorry.

13 MR. MURPHY: Let him finish his question.

14 BY MR. ROBINER:

15 Q. Yeah. Do you recall having a contract
16 with BI-LO, LLC?

17 MR. MURPHY: Object to the form.

18 THE WITNESS: When I first became a salary
19 manager, I recall signing a contract, yes.

20 BY MR. ROBINER:

21 Q. Do you recall what the contract stated?

22 A. No, sir. That was so far back.

23 Q. Do you recall whether the contract stated
24 that you would be employed for a certain time period?

25 A. I do not recall.

1 Q. Did you ever have an additional contract
2 with BI-LO?

3 MR. MURPHY: Object to the form.

4 THE WITNESS: I can't recall when
5 I -- there was about a year that I became a part-time
6 salary manager for BI-LO. And I cannot recall if I
7 signed a contract then or not. I can't recall.

8 BY MR. ROBINER:

9 Q. Do you recall whether you had a contract
10 for employment with Southeastern Grocers, LLC?

11 MR. MURPHY: Object to the form.

12 THE WITNESS: I do not recall.

13 BY MR. ROBINER:

14 Q. If you can turn to page 2 of your
15 Complaint, paragraph 13 reads: "After Brickman
16 learned about the complaint, he and others concocted
17 a claim that Plaintiff stole the donated
18 merchandise." Do you see that?

19 A. Yes, sir, I do.

20 Q. When did Mr. Brickman learn of the
21 complaints?

22 A. He learned that I'm -- I can't say when he
23 learned, because I don't know when he spoke to Randy
24 or Tommy or corporate. I don't know.

25 Q. Okay. If you don't know when he learned,

1 how can you say that after he learned, then he and
2 others concocted a claim?

3 MR. MURPHY: Object to the form.

4 THE WITNESS: Randy told me that he had
5 spoken, but whether that conversation took place or
6 not, I don't know. I know that Barry told Mr.
7 Brickman that we were filing a complaint against him.

8 BY MR. ROBINER:

9 Q. When did Barry tell Mr. Brickman that "we
10 were filing a complaint against him"?

11 A. I don't recall when Barry told me that.

12 Q. When you say "we," who are you referring
13 to?

14 A. When myself and the other people that
15 wrote statements.

16 Q. So were the other statements considered
17 complaints?

18 A. Yes, sir. I assume they were.

19 Q. You don't recall when Barry told you that
20 he told Mr. Brickman?

21 A. No, sir, I do not.

22 Q. But he did, in fact, tell you that he told
23 Mr. Brickman about the complaints?

24 A. Yes, sir.

25 Q. Why did he tell you that?

1 A. Because he said that he -- Barry was
2 trying to make things a little bit better in the
3 store. And he told Mr. -- he told me that he had
4 told Mr. Brickman that you need to lay off of them
5 because they are getting together and going to end up
6 filing a complaint, if you don't back up.

7 Q. Okay. Do you know approximately when this
8 was?

9 A. I do not, sir.

10 Q. What evidence do you have that Mr.
11 Brickman and others concocted a claim that plaintiff
12 stole the donated merchandise?

13 MR. MURPHY: Object to the form.

14 THE WITNESS: Well, I didn't steal it.

15 BY MR. ROBINER:

16 Q. Okay. Other than that you didn't steal
17 it, what evidence do you have that they concocted a
18 claim?

19 MR. MURPHY: Object to the form.

20 THE WITNESS: In my opinion, spending
21 hours and hours watching video, trying to find
22 something somebody is doing wrong, when that's not
23 your job. Your job is to run the grocery store.

24 BY MR. ROBINER:

25 Q. Okay. Other than Mr. Brickman watching

1 video for hours and hours, what else did he do to
2 concoct a claim against you?

3 A. I don't know.

4 Q. Do you know what videos he was watching?

5 A. I only know what I was told.

6 Q. And who told you, again?

7 A. Barry. Frances and Emily would tell me
8 that he's been hold up in there for hours watching
9 video on something.

10 Q. Did they give you any specifics, other
11 than he was watching videos on something?

12 A. Barry told me he was watching it on me,
13 but Frances and Emily did not.

14 Q. Do you know approximately when that
15 conversation took place?

16 A. I don't recall, sir.

17 Q. Did he tell you that orally or by text?

18 A. Orally.

19 Q. Were you guys in the store when that took
20 place?

21 A. Yes, sir, we were.

22 Q. Where in the store?

23 A. If I recall, we were standing in front of
24 the deli department.

25 Q. In paragraph 14 you state, "With full

1 knowledge that Plaintiff had done nothing wrong, the
2 loss prevention department brought Plaintiff in and
3 interrogated her." Do you see that?

4 A. I do see that.

5 Q. How did Mr. Duncan have full knowledge
6 that Plaintiff had done nothing wrong?

7 MR. MURPHY: I'm sorry, can you repeat the
8 question?

9 MR. ROBINER: Can you read it back?

10 (The foregoing question was read back by
11 the court reporter.)

12 MR. MURPHY: Object to form.

13 THE WITNESS: I don't know what Mr.
14 Duncan -- I mean, I can't speak for him.

15 BY MR. ROBINER:

16 Q. But in paragraph 14 you appear to be
17 alleging that you know that he had no knowledge?

18 A. I told him in the very beginning of the
19 meeting on 5-23 that those were donations. I had
20 given the list to Mr. Brickman. And he stated, "It's
21 your word against his."

22 Q. Right. So let's assume that he said that
23 to you, correct? That it's your word against him.
24 Now he's asking for your word, right? He may not
25 have full knowledge. What evidence do you have that

1 he had full knowledge?

2 MR. MURPHY: Object. Object to the form.

3 BY MR. ROBINER:

4 Q. That what Mr. Brickman told him was wrong?

5 MR. MURPHY: Same objection.

6 THE WITNESS: I don't have full knowledge
7 on that. The only thing -- the way I took that
8 comment was, basically, there's nothing we can do --
9 we're going to do about it. It's your word against
10 Mr. Brickman's. And, again, this would be, if you
11 count Mr. Miller sitting in that room, and Ronnie,
12 and Randy, and Tommy, and the lady from Jacksonville,
13 that's five people that -- this has just been
14 escalating and escalating and nothing is happening.
15 Nobody has done anything that I've -- when I've asked
16 to just transfer out of the situation. I just didn't
17 believe that they would even -- when he made that
18 statement, I didn't feel like he was going to go any
19 further.

20 BY MR. ROBINER:

21 Q. So when they are asking you about what
22 they saw on video, you determined that because your
23 complaints about Mr. Brickman had gone unanswered in
24 the past, that they would not listen to you?

25 MR. MURPHY: Object to the form.

1 THE WITNESS: Ronnie said, "It's your word
2 against his word."

3 MR. MURPHY: Can we take a break?

4 MR. ROBINER: Sure.

5 (Recess was taken from 12:37 p.m. to 12:44
6 p.m.)

7 BY MR. ROBINER:

8 Q. Ms. Styles, if you can look at page 4 of
9 your complaint. It starts with a "Wherefore" and
10 it's a claim for damages in this case for Count 1.
11 And it includes nominal or actual damages,
12 compensatory damages, special damages, and punitive
13 damages. Do you see that?

14 A. Yes, sir.

15 Q. Can you tell me what damages that you're
16 claiming that you suffered as a result of the abuse
17 of process in Count 1?

18 MR. MURPHY: Object to the form.

19 THE WITNESS: Lost wages.

20 BY MR. ROBINER:

21 Q. Is there anything else?

22 A. I'm trying to think.

23 MR. MURPHY: Object to form.

24 THE WITNESS: Sorry. I'm trying to figure
25 out a way to word it. My whole life was turned

1 upside down for months over this. (Witness crying.)
2 I couldn't sleep. I still have to drive by the
3 Pendleton BI-LO every day to get to work on my days I
4 work. And I pray that I don't get stopped at the red
5 light right in front of it. So I don't have to be
6 there any longer because it brings that day all back.

7 I loved my job there. I thought I'd
8 retire from there. I had to start a whole new
9 career, start over with all my benefits and vacation.

10 Q. Is that it? I didn't want to interrupt
11 you.

12 A. No, you're fine, sir.

13 Q. So for the lost wages, is that related to
14 the fact that you're making less now than you were
15 when you left BI-LO?

16 A. And I was out of work.

17 Q. Okay. How long were you out of work, do
18 you recall?

19 A. From May the 23rd to July the 31st.

20 Q. Did you have to see -- seek any medical
21 attention in connection with the termination from
22 BI-LO?

23 A. No, sir.

24 Q. Is it your understanding that those
25 damages that you explained just now would apply to

1 all the claims and lawsuit? In other words, I don't
2 want to make you have to keep saying it over and
3 over, if I'm going to ask you what are the damages
4 you suffered from Count II, Count III.

5 A. Yes, sir. Please don't.

6 Q. They would all be the same? They are
7 intertwined?

8 MR. MURPHY: Object.

9 BY MR. ROBINER:

10 Q. Is that a fair assessment?

11 MR. MURPHY: Object to form.

12 THE WITNESS: That's what I feel like I've
13 lost. But I don't -- I don't -- I mean, this is a
14 legal document and I don't understand it all, so I
15 can't for sure say that that's the case.

16 BY MR. ROBINER:

17 Q. Right. And I guess a better question for
18 you would be, the damages that you just explained,
19 those apply to the incident in general. Whether it's
20 called one thing by your lawyer or another, it all
21 stems from that incident being terminated and treated
22 poorly by Mr. Brickman?

23 MR. MURPHY: Object to the form.

24 THE WITNESS: I don't feel like I was just
25 treated badly by Mr. Brickman.

1 BY MR. ROBINER:

2 Q. Okay. Who else were you treated badly by,
3 other than I assume you would say Mr. Duncan, Mr.
4 Miller in the meeting?

5 A. I mean, I feel like the whole HR team,
6 period, and my superiors failed in this entire
7 situation by not addressing or working on what was
8 going on.

9 Q. Had you ever requested a store transfer
10 previously with respect to your working tenure at
11 BI-LO?

12 A. No, sir.

13 MR. ROBINER: Are we at 8? Would you mark
14 that, please?

15 (Defendant's Exhibit No. 8 was marked for
16 identification.)

17 BY MR. ROBINER:

18 Q. Ms. Styles, I'm showing you what's marked
19 as Defendant's Exhibit 8 for your deposition, which
20 is a letter on AIM letterhead that appears to be
21 addressed to Ms. Styles dated 6-8-2018. I'll ask if
22 you can take a look at that and tell me if you've
23 ever seen that before.

24 A. I have seen this, yes.

25 Q. Did you ask Ms. Cobb to write this letter?

1 A. I don't recall. They usually send a
2 letter anyways. I don't -- I don't know.

3 Q. Do you recall how you received this
4 letter, because it doesn't appear to have an address
5 on it.

6 A. I -- if I recall right, through my e-mail.

7 Q. You would still have that e-mail?

8 A. I don't know, sir.

9 Q. Do you know why this letter was written to
10 you, as opposed to BI-LO?

11 A. I would assume because after the -- I can
12 only assume this, though. After the initial
13 approval, I was her contact person.

14 Q. Did you speak to her, other than when you
15 delivered the products from BI-LO to AIM?

16 A. She shops at the store, the BI-LO
17 sometimes.

18 Q. Okay. But in connection with the
19 donations that you were her contact, did you have
20 discussions about the donations, other than when you
21 were dropping them off?

22 A. Like, what do you mean? Discussions?

23 Q. I thought the procedure was that the
24 request would come in through Mr. Brickman, he would
25 tell you, and then you would gather the items and

1 then you'd deliver them to AIM.

2 A. Yes, but remember when I said earlier,
3 if -- I had to reach out with her and make contact
4 because of allergies and age of children for the
5 baskets to be appropriate.

6 Q. Do you know whether AIM wrote a similar
7 letter to Mr. Brickman?

8 A. I have no idea.

9 Q. Do you know whether AIM ever wrote a
10 letter to BI-LO thanking them for the donations?

11 A. BI-LO usually got their newsletters.

12 Q. And then would the newsletter thank BI-LO
13 for donations?

14 A. Usually, yes, sir, in there.

15 Q. Do you have family in Anderson County?

16 A. Yes, sir, I do.

17 Q. Okay. How many family members do you have
18 that live in Anderson County? A lot?

19 A. Not a lot. But, I mean, my mom, my dad,
20 my sister.

21 Q. Did you grow up in that county?

22 A. I did.

23 Q. Were you born in that county?

24 A. I was.

25 Q. How long had your parents lived in

1 Anderson County?

2 A. My mom came to this country when she was
3 21 and settled in Anderson, so -- sorry. Trying --

4 Q. Several decades?

5 A. Trying to think of how old my mom is
6 exactly.

7 Q. What is your mom's last name?

8 A. Evans.

9 Q. What's her maiden name?

10 A. Yang.

11 Q. Is your maiden name Evans?

12 A. No, my maiden name is Gaines.

13 Q. Do you ever go by Lisa Gaines?

14 A. No. All my legal documents are Lisa
15 Styles, Lisa Marie Styles.

16 Q. When did your name change from Gaines to
17 Styles?

18 A. When I got married 2005.

19 Q. Did you ever use Gaines and Styles when
20 you're signing documents?

21 A. No, sir, I do not.

22 Q. What church do you attend?

23 A. NewSpring.

24 Q. Is that in Anderson County?

25 A. It is.

1 Q. Are you a member of any social groups in
2 Anderson County?

3 A. Currently?

4 Q. Within the last year?

5 A. No, sir.

6 Q. Okay. How about any clubs?

7 A. No, sir.

8 Q. Organizations?

9 A. No, sir.

10 Q. What was your cell phone number in May
11 2018?

12 A. 864-934-6609.

13 Q. Is that the same today?

14 A. Yes, sir, it is.

15 Q. And who's your carrier today?

16 A. AT&T.

17 Q. Is it the same in May of 2018?

18 A. Yes, sir.

19 Q. And I believe you already testified that
20 you didn't have any social interaction with Officer
21 Glenn outside of the store; is that correct?

22 A. Yes, sir, that's correct.

23 Q. How about any of his family members?

24 A. No, sir.

25 Q. Okay. And I believe it was the same for

1 Ms. Cobb. The only interaction you had with her was
2 in the store, her connection with delivering the
3 AIM's donation; is that correct?

4 A. Yes, sir.

5 Q. Okay. Do you have any social relationship
6 with any of her family members?

7 A. Not that I'm aware of, I do not.

8 Q. And I believe it was the same for Officer
9 Doyle Burdette, correct? Your only interaction was
10 through the store or if there's an incident at the
11 store?

12 A. That's correct.

13 Q. How about with any of his family members?

14 A. Other than when they shopped in the store.

15 Q. Do you know a woman named Lisa Myers
16 Burdette?

17 A. That's his wife. She shopped at BI-LO.

18 Q. Do you know her other than because she
19 shopped at BI-LO?

20 A. No, sir.

21 Q. Are you and Officer Burdette's wife
22 friends on Facebook?

23 A. We are.

24 Q. And that fostered just from seeing her in
25 the store?

1 A. Yes, sir.

2 Q. Okay. Did you ever see her in social
3 settings?

4 A. Never.

5 Q. Do you have any friends in common on
6 Facebook with Chief Burdette's wife?

7 MR. MURPHY: Object to the form.

8 THE WITNESS: I --

9 BY MR. ROBINER:

10 Q. That you're aware of?

11 A. I have no idea. I don't look to see who
12 has friends in common.

13 Q. Are you aware whether you have any other
14 of Officer Burdette's family as Facebook friends?

15 A. Not that I'm aware of, but I don't -- I
16 don't know who his family is.

17 Q. Did you ever speak to Ms. Cobb about this
18 lawsuit?

19 A. No, sir. Not about the lawsuit.

20 Q. Did you ever tell her that you were
21 terminated from BI-LO?

22 A. Yes, sir.

23 Q. Do you know approximately when you told
24 her?

25 A. I do not recall.

1 Q. Do you think it was soon after the event
2 or more recently, like this year, 2019?

3 A. I would say it was sooner after the event.

4 Q. And if you had exchanged e-mails with
5 Ms. Cobb, what e-mail would you have used?

6 A. It could have been either. I don't know
7 which one.

8 Q. Either what?

9 A. My -- the BI-LO e-mail or my other e-mail.

10 Q. What's your other e-mail?

11 A. Styleslisa@at&t.net.

12 Q. Do you still have access to that e-mail
13 today?

14 A. Yes. Wait. I'm sorry. Which one?

15 Q. The styles@lisa --

16 A. Yes.

17 Q. -- or the styleslisa@at&t.net?

18 A. Yes, sir.

19 Q. When you had mentioned your anxiety levels
20 went through the roof earlier today, have you ever
21 been diagnosed with an anxiety disorder?

22 A. No, sir, I have not.

23 Q. Other than minor traffic tickets, have you
24 ever been arrested or charged with a crime before?

25 A. No, sir.

1 Q. Have you ever been involved in a lawsuit,
2 other than this one that we're here for today?

3 A. No, sir.

4 Q. Who besides your attorney have you spoken
5 with about the events that happened at the BI-LO
6 store, other than what we've talked about today?

7 MR. MURPHY: Object to the form.

8 THE WITNESS: My mother, my father, both
9 my sisters, my husband, my in-laws, my sister-in-law,
10 and my father -- my sister-in-law and my
11 brother-in-law.

12 BY MR. ROBINER:

13 Q. Any of those people that you mentioned,
14 mom, father, sister, husband, in-laws, sister-in-law,
15 brother-in-law, any of those people attorneys?

16 A. No, sir.

17 Q. Any of them law enforcement?

18 A. Retired.

19 Q. Who is the retired one?

20 A. My father-in-law.

21 Q. Do you recall where he worked before he
22 retired?

23 A. Highway patrol.

24 Q. When you went to the Pendleton Police
25 Department on May 24th, 2018, did you have a lawyer

1 with you?

2 A. No, sir, I did not.

3 Q. Do you recall when you first retained
4 counsel in this matter?

5 A. I don't recall the exact date. Early
6 June, somewhere.

7 Q. Have you ever, at any time, taken anything
8 from BI-LO for personal use or consumption without
9 paying for it first?

10 A. No, sir. Not that I can recall.

11 Q. I want to take a quick break. I think I'm
12 done.

13 A. I didn't finish listing the people.

14 Q. Oh, okay. I'm sorry.

15 A. I don't want you to think that -- I just
16 don't want it to come up.

17 Q. No, that's fine. I appreciate you
18 speaking up.

19 MR. McCUMBER: Sorry.

20 THE WITNESS: Dana Coker.

21 BY MR. ROBINER:

22 Q. Who is Dana Coker?

23 A. She's my friend.

24 Q. She ever a BI-LO employee?

25 A. No, sir.

1 Q. Related to a BI-LO employee?

2 A. Not that I'm aware of.

3 Q. Anyone else?

4 A. Diana Harbin.

5 Q. Harvin, with a V?

6 A. Harbin, with a B. Kim Johnson. Wendy

7 Kay.

8 Q. Kay, like K-A-Y?

9 A. K-A-Y. Carole Tucker. Can Bentley.

10 Michelle Lanceley. I feel like right after it

11 happened Angela Dutton, Katie Bramlett.

12 Q. Do you know how to spell the last name?

13 A. I want to say it's B-R-A-M-L-E-T-T, but I

14 can't be positive. Richie Suttles.

15 Q. With Ds?

16 A. With Ts. I feel like that's all, but I

17 can't be 100 percent positive. But I feel like

18 that's --

19 Q. When you listed these people, did you

20 discuss the incidents at BI-LO or did you discuss the

21 lawsuit?

22 A. Just the incident. Well, now, my husband,

23 my immediate family --

24 Q. Sure.

25 A. -- are aware of the lawsuit. But the rest

1 of them, I don't -- I don't talk about it, to be
2 honest. I just -- I just need to not.

3 Q. Other than Angela Dutton and Michelle
4 Lanceley, are any of the other folks you listed out
5 associated with BI-LO in any way?

6 A. Carole Tucker.

7 Q. What was Ms. Tucker's position, if you
8 recall?

9 A. She was a salary manager at one of the
10 BI-LOs.

11 Q. Did she ever work at that Anderson or the
12 Pendleton BI-LO?

13 A. I can't answer that because Carole was
14 with BI-LO for like probably 50-something years, like
15 no joke. So I don't know if she ever -- not in my
16 time.

17 Q. Okay. That's a better --

18 A. Not in my time.

19 Q. -- question.

20 A. No, sir.

21 Q. Never overlapped?

22 A. No, sir.

23 Q. But did you work in the store with her?

24 A. No, sir. I never worked in the store with
25 Carole.

1 Q. Any store?

2 A. Any BI-LO.

3 Q. Anybody else associated with BI-LO?

4 A. Can Bentley.

5 Q. What is Can's position?

6 A. Grocery manager of the BI-LO.

7 Q. And is that the Pendleton store?

8 A. We overlapped, but it was not during this

9 time frame. But, yes, me and Mr. Bentley have worked

10 together.

11 Q. Anyone else?

12 A. Wendy Kay.

13 Q. What was her position?

14 A. It -- I think it was customer service

15 manager was her title.

16 Q. In the Pendleton store?

17 A. No, sir. Not even in this district.

18 Richie Suttles is a BI-LO. No overlap.

19 Q. Anyone else? Katie Bramlett?

20 A. She's BI-LO.

21 Q. BI-LO. Was she ever in that Pendleton

22 store?

23 A. Yes, sir.

24 Q. Do you know if she's still employed there?

25 A. I can't be positive, but I think so.

1 Q. These discussions, did they take place at
2 or around the time the incident happened or are they
3 ongoing?

4 A. I would say at or around the time.

5 MR. ROBINER: Okay. Quick break, and then
6 I think we're done.

7 (Recess was taken from 1:08 p.m. to 1:12
8 p.m.)

9 (Defendant's Exhibit No. 9 was marked for
10 identification.)

11 BY MR. ROBINER:

12 Q. Quick -- couple more questions. Other
13 than the names that you gave me of family members
14 that live in Anderson County, I think you said Evans,
15 Yang, and I don't remember the third one.

16 A. Styles.

17 Q. Styles. Are there any other -- other
18 family names of relatives that live in Anderson
19 County?

20 A. You got Gaines, right?

21 Q. Gaines. You used that name for a while,
22 correct?

23 A. That was my maiden name.

24 Q. Okay. Okay. Other than those names, any
25 other family members that live in Anderson County

1 that you think of with different last names?

2 A. Are you talking about like grandparents
3 and things?

4 Q. Yeah, let's go up to grandparents, but not
5 any further. So if there are --

6 A. Okay. So my stepdad's mother's name is
7 Bates.

8 Q. B-a-t-e-s?

9 A. Uh-huh. My mom's family is not from here.
10 I don't know about the Yangs. So I know my husband's
11 mom's maiden name.

12 Q. What is that?

13 A. Ward.

14 Q. W-A-R-D?

15 A. Uh-huh.

16 Q. Did they live in Anderson for a while, do
17 you know?

18 A. Not like -- it's Anderson County, but it's
19 not Anderson. Does that make sense? Okay. It's
20 a -- so, I know. I'm sorry. Because, like,
21 technically Pendleton is Anderson County. Belton,
22 Honea Path is Anderson County, but they are
23 Powdersville, Easley, Anderson County. So they are
24 not like in Anderson.

25 Q. Not the town Anderson?

1 A. Yes, sir.

2 MR. McCUMBER: Sorry. Just so we're
3 clear, if this case goes to a jury trial in the
4 matter, the jury is going to come from the entire
5 Anderson County surrounding area; Powdersville, all
6 the way through. So we just need to know any person
7 over the age of 18 could end up in that jury pool.
8 Because while you may love to have your aunt or
9 cousin on the jury, we'd like to know if your aunt --

10 THE WITNESS: Sure.

11 MR. McCUMBER: -- or cousin is on the jury
12 pool. So that's what he's trying to get at. So if
13 you can think of anyone else you can recall in that
14 regard --

15 MR. MURPHY: Give him everything that's in
16 Anderson County. I know what you're saying.

17 THE WITNESS: Okay.

18 MR. MURPHY: If it's considered part of
19 Anderson or not, it's countywide.

20 THE WITNESS: So, the Wards. The Wards.
21 Because that was what her maiden name was. My
22 husband's cousin's last name are Merritts.

23 Q. M-e-r-r-i-t?

24 A. T-t-s, maybe. I don't know.

25 MR. McCUMBER: It's two Ts?

1 THE WITNESS: I don't know. I can't
2 really speak to the Yang's side, because my father
3 and my mother got divorced. My stepdad raised me. I
4 never had anything to do with the Gaineses, so I
5 couldn't really tell you. I don't know anything
6 about that side. My stepdad is an Evans. His mother
7 married a Bates later in life. What about my
8 brother-in-laws? Do y'all need to know their last
9 names?

10 BY MR. ROBINER:

11 Q. Do they live in Anderson County?

12 A. They do. Bailey.

13 Q. B-a-i-l-e-y?

14 A. Uh-huh. My older sister was married to a
15 Kelly, but they are divorced. And he no longer lives
16 in Anderson County, nor his family. My recollection,
17 I can't think of anybody else.

18 Q. Okay. Ms. Styles, I'm showing you what's
19 Defendant's Exhibit 9. Appears to be an e-mail
20 exchange between you and Ms. Cobb. I ask if you can
21 look at that and tell me if you've ever seen that
22 before.

23 A. Yes, sir, I have.

24 Q. Okay. Do you know what was redacted at
25 the top of this page where the black marks are?

1 A. I do not.

2 Q. Does this appear to be a discussion where
3 you're requesting her to prepare a list of items that
4 were donated?

5 A. Yes, sir.

6 Q. Okay. And did she ever provide you with a
7 list?

8 A. Not that I can recall. No, sir.

9 Q. Okay. Did that letter that we looked at
10 earlier on the AIM letterhead, did that come after
11 you had asked for it in these e-mail exchanges, do
12 you know?

13 A. I don't know.

14 MR. ROBINER: Okay. I don't have anything
15 else.

16 MR. MURPHY: Just a couple questions.

17 EXAMINATION

18 BY MR. MURPHY:

19 Q. You were asked a number of questions about
20 whether you had a contract at different points or a
21 contract with BI-LO. Do you know under South
22 Carolina law what constitutes an employment contract?

23 A. No, sir, I do not.

24 Q. You were asked a number of questions about
25 what evidence you had to support certain statements.

1 Do you know what constitutes evidence of the various
2 claims you're making in this case?

3 MR. ROBINER: Object to the form.

4 THE WITNESS: No, sir, I don't.

5 BY MR. MURPHY:

6 Q. And, finally, you were asked questions
7 about what damages you have. Do you know under the
8 law what types of things you can claim as damages
9 under various different claims raised in your
10 lawsuit?

11 A. I have no idea, so no.

12 MR. MURPHY: I don't have any further.

13 EXAMINATION

14 BY MR. ROBINER:

15 Q. I just want to follow up on that. I
16 understand that you don't know the definition of what
17 you're entitled to as damages under the law, but
18 other than what you described for us today, are there
19 any other injuries that you would attribute to the
20 incident related to BI-LO that we discussed today?

21 MR. MURPHY: Object to the form.

22 THE WITNESS: When you say "injury," what
23 do you mean, sir?

24 BY MR. ROBINER:

25 Q. Like, where you're seeking compensation

1 because you've been injured or damaged or suffered a
2 loss.

3 MR. MURPHY: Object to the form.

4 THE WITNESS: Like, physical injury?

5 BY MR. ROBINER:

6 Q. No. If you suffered a physical injury,
7 I'd want to know that. If you're seeking
8 compensation for a physical injury, I would obviously
9 want to know that.

10 A. No, sir.

11 MR. MURPHY: Object to the form.

12 BY MR. ROBINER:

13 Q. But I'm not asking you about technical
14 requirements under the law. I'm asking for factual
15 statements as to damages or injuries that you've
16 suffered.

17 MR. MURPHY: Object to the form.

18 THE WITNESS: I don't know what all
19 damages are in -- I mean, I've never had to do a
20 lawsuit in my entire life. I have no idea. All I
21 can tell you is what I've already spoken to today is
22 that my whole entire life just got thrown up, spit
23 out, and I've had to rebuild it.

24 BY MR. ROBINER:

25 Q. And that you lost wages, right?

1 A. I did lose some wages, yes, sir.

2 MR. ROBINER: Okay. I don't have anything
3 further.

4 MR. MURPHY: Nothing further.

5 (The witness, after having been advised of
6 her right to read and sign the transcript, waives
7 that right.)

8 (Deposition was concluded at 1:20 p.m.)

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CERTIFICATE OF REPORTER

I, MARY K. STEPP, Notary Public for the State of South Carolina at Large, do hereby certify that the foregoing transcript is a true, accurate, and complete record.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.

Witness my hand, I have hereunto affixed my official seal this 20th day of November, 2019, at Campobello, Spartanburg County, South Carolina.

<%21890,Signature%>

Mary K. Stepp, Notary Public
My Commission Expires:
March 1, 2028

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I N D E X

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REQUESTED INFORMATION

(No information requested.)

E X H I B I T S

Defendant's Marked for Identification

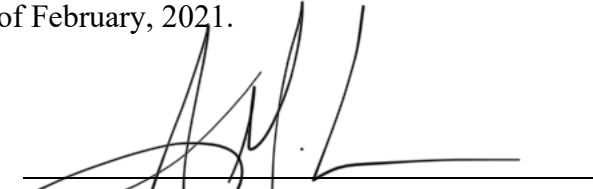
Exhibit 1	Video Screenshots	31	2
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CERTIFICATE OF COUNSEL FOR APPELLANTS-RESPONDENTS

Counsel for Appellants-Respondents certifies that this Record of Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Court entitled "Revised Order Concerning Personal Identifying Information and other Sensitive Information in Appellate Court Filings."

Respectfully submitted this 8th day of February, 2021.

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