

STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON)

Rebekah Beaman)

Plaintiff(s))

vs.)

The Charleston County Airport District)

Defendant(s))

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

2015-CP - 10- 387

Submitted By: Nancy Bloodgood
Address: 895 Island Park Drive, Suite 202, Charleston, SC 29492

SC Bar #: 6459
Telephone #: 843-972-0313
Fax #:
Other:
E-mail: nbloodgood@coferfester.com

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

- JURY TRIAL demanded in complaint.
NON-JURY TRIAL demanded in complaint.
This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- Contracts: Constructions (100), Debt Collection (110), Employment (120), General (130), Breach of Contract (140), Other (199)
Torts - Professional Malpractice: Dental Malpractice (200), Legal Malpractice (210), Medical Malpractice (220), Previous Notice of Intent Case #, Notice/ File Med Mal (230), Other (299)
Torts - Personal Injury: Assault/Slander/Libel (300), Conversion (310), Motor Vehicle Accident (320), Premises Liability (330), Products Liability (340), Personal Injury (350), Wrongful Death (360), Other (399)
Real Property: Claim & Delivery (400), Condemnation (410), Foreclosure (420), Mechanic's Lien (430), Partition (440), Possession (450), Building Code Violation (460), Other (499)
Inmate Petitions: PCR (500), Mandamus (520), Habeas Corpus (530), Other (599)
Administrative Law/Relief: Reinstate Drv. License (800), Judicial Review (810), Relief (820), Permanent Injunction (830), Forfeiture-Petition (840), Forfeiture-Consent Order (850), Other (899)
Judgments/Settlements: Death Settlement (700), Foreign Judgment (710), Magistrate's Judgment (720), Minor Settlement (730), Transcript Judgment (740), Lis Pendens (750), Transfer of Structured Settlement Payment Rights Application (760), Confession of Judgment (770), Petition for Workers Compensation Settlement Approval (780), Other (799)
Appeals: Arbitration (900), Magistrate-Civil (910), Magistrate-Criminal (920), Municipal (930), Probate Court (940), SCDOT (950), Worker's Comp (960), Zoning Board (970), Public Service Comm. (990), Employment Security Comm (991), Other (999)
Special/Complex /Other: Environmental (600), Automobile Arb. (610), Medical (620), Other (699), Pharmaceuticals (630), Unfair Trade Practices (640), Out-of-State Depositions (650), Motion to Quash Subpoena in an Out-of-County Action (660), Sexual Predator (510)

FILED
2015 JAN 10 PM 12:48
CLERK OF COURT
JAMES W. ARMSTRONG

Submitting Party Signature: Nancy Bloodgood

Date: 1/16/15

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

FOR MANDATED ADR COUNTIES ONLY

Aiken, Allendale, Anderson, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Charleston, Cherokee, Clarendon, Colleton, Darlington, Dorchester, Florence, Georgetown, Greenville, Hampton, Horry, Jasper, Kershaw, Lee, Lexington, Marion, Oconee, Orangeburg, Pickens, Richland, Spartanburg, Sumter, Union, Williamsburg, and York

SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.

You are required to take the following action(s):

1. The parties shall select a neutral and file a "Proof of ADR" form on or by the 210th day of the filing of this action. If the parties have not selected a neutral within 210 days, the Clerk of Court shall then appoint a primary and secondary mediator from the current roster on a rotating basis from among those mediators agreeing to accept cases in the county in which the action has been filed.
2. The initial ADR conference must be held within 300 days after the filing of the action.
3. Pre-suit medical malpractice mediations required by S.C. Code §15-79-125 shall be held not later than 120 days after all defendants are served with the "Notice of Intent to File Suit" or as the court directs. (Medical malpractice mediation is mandatory statewide.)
4. Cases are exempt from ADR only upon the following grounds:
 - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
 - b. Requests for temporary relief;
 - c. Appeals
 - d. Post Conviction relief matters;
 - e. Contempt of Court proceedings;
 - f. Forfeiture proceedings brought by governmental entities;
 - g. Mortgage foreclosures; and
 - h. Cases that have been previously subjected to an ADR conference, unless otherwise required by Rule 3 or by statute.
5. In cases not subject to ADR, the Chief Judge for Administrative Purposes, upon the motion of the court or of any party, may order a case to mediation.
6. Motion of a party to be exempt from payment of neutral fees due to indigency should be filed with the Court within ten (10) days after the ADR conference has been concluded.

Please Note: You must comply with the Supreme Court Rules regarding ADR. Failure to do so may affect your case or may result in sanctions.

STATE OF SOUTH CAROLINA)
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COUNTY OF CHARLESTON)
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Rebekah Beaman,)
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Plaintiff,)
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vs.)
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The Charleston County Airport District,)
)
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Defendant.)
)
_____)

IN THE COURT OF COMMON PLEAS FOR
THE NINTH JUDICIAL CIRCUIT
Case No.: 2015-CP-10- 387

SUMMONS

FILED
2015 JAN 20 PM 12:48
JULIE J. ARMSTRONG
CLERK OF COURT
BY _____

TO THE DEFENDANT ABOVE NAMED:

You are hereby summoned and required to answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your answer to the Complaint to the subscriber at **Foster Law Firm, LLC 895 Island Park Drive, Suite 202, Charleston, South Carolina, 29492**, within thirty (30) days after the service hereof, exclusive of the day of such service. If you fail to answer the Complaint within that time, the Plaintiff will apply to the Court for the relief demanded in the Complaint and a judgment by default will be rendered against you.

FOSTER LAW FIRM, L.L.C.

Nancy Bloodgood

Nancy Bloodgood, SC Bar No.: 6459
Lucy C. Sanders, SC Bar No.: 78169
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Daniel Island, SC 29492
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lsanders@fosterfoster.com
Attorneys for Plaintiff

Charleston, South Carolina

Date: 1-16-15

STATE OF SOUTH CAROLINA)
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COUNTY OF CHARLESTON)
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Rebekah Beaman,)
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Plaintiff,)
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vs.)
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The Charleston County Airport District,)
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Defendant.)
)
_____)

IN THE COURT OF COMMON PLEAS FOR
THE NINTH JUDICIAL CIRCUIT
Case No.: 2015-CP-10- 387

**COMPLAINT
(JURY TRIAL REQUESTED)**

FILED
2015 JAN 20 PM 12:48
JUDGE J. ARMSTRONG
CLERK OF COURT

JURISDICTION AND VENUE

1. Plaintiff is a citizen and resident of the County of Charleston, State of South Carolina.
2. The Charleston County Airport District is a legislatively created special purpose district and political subdivision of the State of South Carolina which operates in Charleston County pursuant to Act No. 1235, as amended, approved by the General Assembly on May 14, 1970.
3. The corporate powers and duties of the Charleston County Airport District are exercised by an appointed Board called the Charleston County Aviation Authority.
4. The Board employs a Director of Airports, Senator Paul Campbell, who is responsible for the day to day functioning of the Airport as well as the hiring and firing of all Airport employees, including Plaintiff.
5. At all relevant times to this Complaint, Senator Paul Campbell was Defendant's Director and Al Britnell was Defendant's Deputy Director of Administration and Public Safety and both were acting within their employment as agents of Defendant.
6. At all relevant times to this Complaint, Andy Savage was acting as the Chairman

of Defendant's Board and acting as an agent of Defendant.

7. All actions pertinent to the allegations in this Complaint took place in Charleston County.

8. Jurisdiction and venue is proper in this Court.

FACTS

9. Plaintiff was hired by Defendant in July 7, 1985 and worked for Defendant for twenty-nine-and-a-half years in various capacities.

10. Most recently, Plaintiff worked as the Director of Public Affairs for Defendant.

11. In her role as Director of Public Affairs, until June of 2013 when her job duties were changed, Plaintiff was responsible for all operations of the Public Affairs department, including handling all media inquiries and issues, the operation of the Information Desk and Business Center, handling Airport events, maintaining websites, overseeing promotional advertising and working with community agencies.

12. Plaintiff's performance was excellent at all times during her employment.

13. Plaintiff retired in July 2008 and then returned to work under the TERI program.

14. Defendant acknowledged Plaintiff's retirement by transferring her accrued sick and annual leave to her retirement account.

15. Through its employment policies, Defendant promised to pay Plaintiff \$250/month towards her retiree health insurance after she retired.

16. Defendant has failed to pay for or contribute to Plaintiff's retiree health insurance.

17. After Plaintiff returned to work, Defendant's long-time Director retired and Senator Paul Campbell and Al Britnell took over as Defendant's Director (Campbell) and Deputy Director of Administration and Public Safety (Britnell).

18. During a staff meeting for all directors on May 2, 2014, Senator Campbell yelled at Plaintiff and Defendant's Director of Human Resources and falsely accused them of mishandling an employee issue.

19. Plaintiff and Defendant's Director of Human Resources followed all protocols and laws while handling this particular employee issue.

20. In regards to the same employee issue, Senator Campbell gave Plaintiff a "letter of reprimand" on May 23, 2014 alleging that Plaintiff used poor judgment in orally counselling this employee, who was never written up and who was a member of Plaintiff's department.

21. Senator Campbell told Plaintiff the letter would not be placed in her personnel file, but Plaintiff later learned the letter had been placed in her personnel file.

22. On June 16, 2014, Plaintiff learned that supervision of her department had transferred from Senator Campbell to Al Britnell.

23. On or around June 25, 2014, Plaintiff learned the majority of her job duties had been transferred to Tammy Alexander, Executive Assistant to Senator Campbell. Al Britnell told Plaintiff that Senator Campbell wanted to "bring in his own people."

24. On July 1, 2014, Al Britnell yelled loudly at Plaintiff in a public space in the airport terminal and accused her of "taking sides" with Jenny Sanford in an Art meeting.

25. On July 7, 2014, Al Britnell again angrily yelled at Plaintiff, made false accusations against her, and told her to "hush" when she asked questions. Al Britnell repeatedly hit his hand on the table while he was addressing Plaintiff and others.

26. On or around September 30, 2014, Tammy Alexander changed the locks on Plaintiff's storage room. As a result, Plaintiff could not access inventory that she needed for special projects. Plaintiff made repeated requests to her new supervisor Al Britnell for a key so

she could obtain supplies and although he kept telling Plaintiff he would provide her a key to her storage room, he never did.

27. In fall 2014, several of Defendant's employees became concerned someone was stealing their food and drinks from a refrigerator in the office building. Some employees knew their desks had been gone through as items in their desks were moved overnight. Al Britnell learned of the problem and promised to "look into it" but if he did, he never informed Plaintiff and food continued to be stolen.

28. On the night of November 5, 2014, without Plaintiff's authorization or knowledge, another employee set up a camera when leaving work to try to find out what was happening to the food and drinks.

29. On November 7, 2014, Plaintiff was suspended by Al Britnell as a result of the camera being placed in a hall at night to catch the thief.

30. Plaintiff did not authorize the camera or have knowledge of it, which Al Britnell knew.

31. On November 17, 2014, Plaintiff received a certified letter notifying her that she had been terminated from employment effective November 14, 2014. The letter included many false statements, such as that Plaintiff "participated and/or authorized activities clearly contrary to previous instructions without regard to the liability you placed on the Authority." The write-up from May 2014 was also cited as a reason for Plaintiff's termination despite Defendant's earlier representation to Plaintiff that it would not ever be placed in Plaintiff's personnel file and that this issue was "over with."

32. In articles published by The Post and Courier on November 18, 2014 and November 20, 2014, Senator Campbell and Andy Savage, the Aviation Authority Board

Chairman, spoke on behalf of Defendant in regards to Plaintiff's termination and the camera incident.

33. In the articles, Senator Campbell falsely stated to the public, in reference to the camera issue and Plaintiff's termination, "there's more to it than that . . . eventually it will all come out" and, in reference to the May 2014 disciplinary letter, "there's more to it."

34. In the articles, Savage falsely stated to the public that "I think things are changing, and change is tough . . . There is a change in the evolution of management. They are trying to make things more efficient and more responsive . . . I believe we are top heavy out there (in management)." Savage also falsely stated to the public "the history (with Beaman) is a little more involved . . . it's not the full story."

FIRST CAUSE OF ACTION
(DEFAMATION *PER SE* and DEFAMATION *BY INNUENDO*)

35. Plaintiff incorporates all prior allegations, where not inconsistent, as if fully set forth herein.

36. While acting as agents of Defendant, Senator Campbell and Andy Savage published false and defamatory comments to third persons and in print media about Plaintiff.

37. These comments were published to the public.

38. In addition to Defendant's false and defamatory statements about Plaintiff, Defendant's abrupt termination of Plaintiff after almost thirty (30) years of employment falsely infers and insinuates to her former co-workers and the public that she has done something particularly wrong to lose her job.

39. Defendant's actions, representations, and statements related to its termination of Plaintiff's employment clearly insinuates to her co-workers and the public that she was

discharged for wrongful activity, unethical behavior, and/or violation of a law or policy, all of which are false.

40. Defendant's statements and actions are actionable *per se* as they infer Plaintiff is incapable of performing her job and charge Plaintiff with being unfit for her profession.

41. Defendant's statements and actions are intended to brand Plaintiff as a trouble maker and to infer she is incapable of performing her job.

42. Defendant's statements and actions infer that Plaintiff was a poor, inefficient manager and engaged in extreme wrongdoing, criminal or otherwise, that justified to her termination.

43. Defendant's publication of these statements was not privileged due to the manner and circumstances surrounding the publication.

44. The publication and re-publication of these false statements by Defendant, as well as its actions during the course of her termination, have caused Plaintiff to suffer damages to her reputation.

45. As a result of Defendant's publication of false and defamatory statements and its actions related to Plaintiff's termination, Plaintiff has suffered (and continues to suffer) damages in the form of severe psychological harm, emotional distress, anxiety, pain and suffering, inconvenience, mental anguish, loss of enjoyment of life, embarrassment, humiliation, physical injuries, lost past and future wages and benefits, and injury to her personal and professional reputation and seeks actual damages, special damages, costs of this action and post judgment interest from Defendant.

SECOND CAUSE OF ACTION
(VIOLATION OF SOUTH CAROLINA PAYMENT OF WAGES ACT)

46. Plaintiff incorporates all prior allegations, where not inconsistent, as if fully set forth herein.

47. Plaintiff was an employee of Defendant.

48. Defendant is a corporation employing persons in this State.

49. Defendant is an “employer” within the meaning of the South Carolina Payment of Wages Act, S.C. Code § 41-10-10.

50. Defendant has failed to pay all wages due to Plaintiff at the time and place designated for payment.

51. Defendant agreed to pay Plaintiff \$250/month for retiree health insurance pursuant to its written policy and this amount is considered wages as it was recompense for Plaintiff’s labor.

52. Plaintiff qualified for these wages by working as a regular full-time employee for Defendant who retired to enter the TERI program in August of 2008.

53. Defendant’s policy states that regular full-time employees receive a contribution for retiree health insurance based on the employee’s years of service with Defendant. Pursuant to Defendant’s policy, an employee is qualified and eligible for the contribution “once an employee retires.”

54. Plaintiff returned to work through the TERI program but was considered by the State and Defendant to have officially retired on August 1, 2008.

55. Defendant has failed to pay Plaintiff the wages due to her under its retiree health insurance policy even though Plaintiff met all of the requirements and contingencies of the policy. The wages are overdue.

56. Defendant's actions violate S.C. Code §§ 41-10-40 and 41-10-50.

57. There is no bona fide dispute as to whether Plaintiff is entitled to her unpaid wages as Defendant's written policy states that an employee is qualified for the compensation once the employee retires. Defendant acknowledged Plaintiff's retirement on August 1, 2008 and then rehired her.

58. Defendant has no good faith reason for withholding Plaintiff's wages.

59. Defendant's intentional and willful failure to comply with various provisions of the South Carolina Payment of Wages Act has caused Plaintiff to suffer actual damages and incur attorney fees and costs.

60. Plaintiff's damages continue to accrue.

61. Pursuant to S.C. Code § 41-10-80, Plaintiff is entitled to treble damages, reasonable attorney fees, and costs, as well as prejudgment and post judgment interest for the damages she has incurred and continues to accrue due to Defendant's intentional violations of the South Carolina Payment of Wages Act.

Wherefore, having fully stated her Complaint against Defendant, Plaintiff prays for such actual and equitable damages, treble damages, attorney fees and costs, pre and post judgment interest and other relief as the Court deems appropriate.

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FOSTER LAW FIRM, L.L.C.

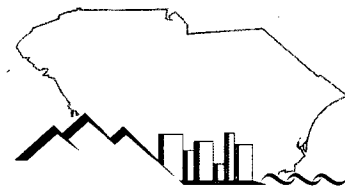


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Attorneys for Plaintiff

Charleston, South Carolina

Date: 1-16-15



FOSTER LAW FIRM, L.L.C.

Attorneys and Counselors at Law

NANCY BLOODGOOD
nbloodgood@fosterfoster.com
REPLY TO CHARLESTON

PAUL J. FOSTER, JR., 1928-1999

January 16, 2015

The Honorable Julie J. Armstrong
Charleston County Clerk of Court
100 Broad Street, Suite 106
Charleston, SC 29401

RE: Rebekah Beaman v The Charleston County Airport District
Our File No.: 11992

Dear Julie,

Enclosed please find the original and three copies of the Civil Action Coversheet, Summons and Complaint in connection with the above-referenced matter. You will also find enclosed a check in the amount of \$150.00 which represents the filing fee for same. Please file the originals and return clocked-in copies of the same to me in the enclosed self-addressed stamped envelope.

Should you have any questions, please do not hesitate to contact my office.

With kindest regards, I am

Sincerely,

Nancy Bloodgood

NB/alk
Enclosures

cc: Becky Beaman

www.fosterfoster.com

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CHARLESTON: 895 Island Park Drive, Suite 202 · Charleston, SC 29492 · 843-972-0313 · Fax: 888-519-0934

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