

STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON)

Robert Bryant,)

Plaintiff(s))

vs.)

The Charleston County Airport District,)

Defendant(s))

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

2016-CP-10- 0336

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

SC Bar #: 6459
Telephone #: 843-972-0313
Fax #: 888-519-0934
Other: <^C>
E-mail: nbloodgood@fosterfoster.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 # 20 -NI- -, 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
JULIE J. FOSTER
CLERK OF COURT
2016 JAN 23 PM 1:49

Submitting Party Signature:

Nancy Bloodgood

Date:

1/20/16

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.

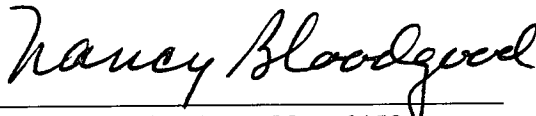
STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
)
 COUNTY OF CHARLESTON) FOR THE JUDICIAL JUDICIAL CIRCUIT
)
 Robert Bryant,) Case No.: 2016-CP-10- 0336
)
)
 Plaintiff,)
)
 vs.)
)
 The Charleston County Airport District,)
)
 Defendant.)

FILED
 2016 JAN 22 PM 1:49
 JULIE J. ARMSTRONG
 CLERK OF COURT

SUMMONS

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, SC Bar No.: 6459
 Lucy C. Sanders, SC Bar No.: 78169
 895 Island Park Drive, Suite 202
 Daniel Island, SC 29492
 Telephone: (843) 972-0313
 Facsimile: (888) 519-0934
 Email: nbloodgood@fosterfoster.com
lsanders@fosterfoster.com
Attorneys for Plaintiff

Charleston, South Carolina
 Date: 1/20/16

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
 Robert Bryant,)
)
 Plaintiff,)
)
 vs.)
)
 The Charleston County Airport District,)
)
 Defendant.)

IN THE COURT OF COMMON PLEAS FOR
 THE NINTH JUDICIAL CIRCUIT
 Case No.: 2016-CP-10- 0336

**DEFAMATION COMPLAINT
 (JURY TRIAL REQUESTED)**

FILED
 2016 JAN 22 PM 1:49
 JAMES ARMSTRONG
 CLERK OF COURT

JURISDICTION AND VENUE

1. Plaintiff Bryant is a citizen and resident of the County of Berkeley, 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 G. Campbell, Jr., who is responsible for the day to day functioning of the Airport.
5. James Peacher is Defendant's Deputy Director of Airports and he reports directly to Senator Campbell.
6. At all relevant times to this Complaint, Senator Campbell and James Peacher were acting within the scope of their employment as agents 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 Bryant is retired from the U.S. Navy. He was a Chief Warrant Officer 2 in the Seabees, the Navy's Civil Engineering Corps. He served the President of the United States at Camp David and has held the highest possible top secret clearance.

10. Mr. Bryant's current job as a construction manager requires his employer place a significant amount of trust placed in him. Mr. Bryant is required, as part of his job description, to monitor "a variety of assigned programs and related financial activity (e.g. approving facilities operations expenditures, negotiating vendor discounts, ensuring product specifications, resolving warranty issues, managing contractor services, etc.) for the purpose of ensuring that allocations are accurate, related revenues are generated, expenses are within budget limits and/or fiscal practices are followed;...[and he] prepares a wide variety of often complex materials (e.g. business and facilities operations plans, letters, budgets, funding requests, reports, analyses, recommendations, procedures, etc.) for the purpose of documenting activities and issues, providing written reference and/or conveying information in accordance with district, state and federal regulations."

11. To perform the duties of his profession, Mr. Bryant's reputation for truthfulness and integrity must be beyond reproach.

12. In July of 2015, Mr. Bryant filed for a divorce from his wife of 25 years based on the grounds of adultery.

13. Mr. Bryant's wife was, and still is, an employee of Defendant's.

14. In the summer of 2015, Mr. Bryant contacted undersigned counsel regarding concerns he had about what was occurring at the Airport based on information he had received from Senator Campbell's administrative assistant and his wife.

15. Based upon the credible and specific information Mr. Bryant provided and the witnesses he named, Mr. Bryant was named as an additional witness in a pending defamation case, Civil Action No. 2015-CP-10-387.

16. To preserve Mr. Bryant's testimony and to support the filing of a motion to amend the complaint in Civil Action No. 2015-CP-10-387, Mr. Bryant was served a subpoena and required by subpoena to testify about what he knew.

17. Mr. Bryant's deposition was taken on October 19, 2015.

18. Mr. Bryant's deposition testimony was under oath and Mr. Bryant swore he would answer the questions truthfully during his deposition, which he did.

19. S.C. Code 16-9-10 (A) (1) states, "It is unlawful for a person to willfully give false, misleading, or incomplete testimony under oath in any court of record, judicial, administrative, or regulatory proceeding in this State."

20. S.C. Code 16-9-10 (B)(1) states, "A person who violates the provisions of subsection (A)(1) is guilty of a felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both."

21. Defendant did not like what Mr. Bryant stated under oath during his deposition.

22. Senator Campbell and James Peacher learned that Defendant's employees were discussing Mr. Bryant's deposition at work.

23. On December 14, 2015, Senator Campbell and James Peacher called an irregular but mandatory meeting of Defendant's staff. About twenty (20) employees attended this

meeting.

24. James Peacher and Senator Campbell acted within the scope of their authority when they called the special meeting and required the employees to attend.

25. At the December 14, 2015 meeting, James Peacher first scolded all of the employees for accessing and reading Mr. Bryant's deposition which is available to the public on the Clerk of Court's website. Peacher told the employees that discussing Mr. Bryant's deposition at the workplace would not be tolerated.

26. Mr. Peacher also told the employees not to take Mr. Bryant at his word; that there was nothing to substantiate Mr. Bryant's sworn deposition testimony; and that Mr. Bryant's testimony was procured merely to deflect from a defamation lawsuit that had been previously filed against Defendant.

27. Senator Campbell next spoke and he told the employees that portions of Mr. Bryant's deposition were false and that if part of Mr. Bryant's deposition was false, it was all false. Senator Campbell further stated Mr. Bryant's testimony was *patently* false.

FIRST CAUSE OF ACTION
(DEFAMATION *PER SE*)

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

29. Defendant, through its employees Senator Campbell and James Peacher, published false and *per se* defamatory comments to third parties about Mr. Bryant.

30. Senator Campbell and James Peacher, as Airport Director and Deputy Director respectively, are agents of Defendant and were acting within the scope of their authority when they called the December 14th meeting.

31. Mr. Bryant is not a public official or public figure.

32. Senator Campbell's and James Peacher's statements relating to Mr. Bryant's sworn deposition testimony infer Mr. Bryant committed the crime of perjury which makes him unfit for his profession.

33. Senator Campbell and James Peacher were angry and defensive about the defamation lawsuit that had been filed and they acted with disregard to the harm they were inflicting on Mr. Bryant, in other words with common law malice.

34. Defendant's publication of these false statements about Mr. Bryant was not privileged due to the manner and circumstances surrounding the publication.

35. No common business interest existed between the employees of the Airport and Senator Campbell and James Peacher when these defamatory statements were made about Mr. Bryant because Mr. Bryant is not and never has been an employee or business associate of the Airport.

36. As a result of Defendant's publication of the false and defamatory statements, Mr. Bryant 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, injury to his personal and professional reputation, and seeks actual damages, special damages in terms of strained family relationships, costs of this action, attorney fees, and post judgment interest from Defendant.

Wherefore, having fully stated his Complaint against Defendant, Mr. Bryant prays for such actual and equitable damages, statutory attorney fees and costs, post judgment interest, and other relief as the Court deems appropriate.

FOSTER LAW FIRM, L.L.C.

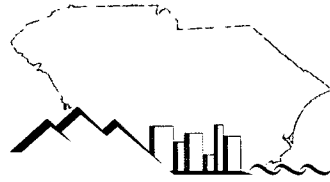


Nancy Bloodgood, SC Bar No.: 6459
Lucy C. Sanders, SC Bar No.: 78169
895 Island Park Drive, Suite 202
Daniel Island, SC 29492
Telephone: (843) 972-0313
Facsimile: (888) 519-0934
Email: nbloodgood@fosterfoster.com
lsanders@fosterfoster.com

Attorneys for Plaintiff

Charleston, South Carolina

Date: 1/20/16



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 21, 2016

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

RE: *Robert Bryant v. The Charleston County Airport District*
Our File No.: 12884

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: Robert Bryant

www.fosterfoster.com

GREENVILLE: 601 E. McBee Avenue, Suite 104 · Greenville, SC 29601 · 864-242-6200 · Fax: 864-233-0290
CHARLESTON: 895 Island Park Drive, Suite 202 · Charleston, SC 29492 · 843-972-0313 · Fax: 888-519-0934

Toll Free: 866-279-9772