ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

STATE OF SOUTH CAROLINA COUNTY OF HORRY	COURT OF COMMON PLEAS CIVIL ACTION NO.: 2021-___
Justin Shayne Fulmer, Plaintiff, v. Melissa Emery Buckhannon Esq., Frazier Law Firm P.C., SC House Calls, Inc., Anna Coggeshall, Bryan Coggeshall, Katherine Coggeshall, Lauren Trent Fulmer, and Thomas Buckhannon, Defendants.	**SUMMONS** **(Jury Trial Demanded)**

TO THE DEFENDANTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this Complaint upon the subscriber, at the address shown below, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the Complaint, judgment by default will be rendered against you for the relief demanded in the Complaint.

s/ William B. von Herrmann
William B. von Herrmann
S.C. Bar No. 15675
von Herrmann Law Firm
212 Elm Street
Conway, South Carolina 29526
(843) 488-1030

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

STATE OF SOUTH CAROLINA COUNTY OF HORRY	COURT OF COMMON PLEAS CIVIL ACTION NO.: 2021-___
Justin Shayne Fulmer, Plaintiff, v. Melissa Emery Buckhannon Esq., Frazier Law Firm P.C., SC House Calls, Inc., Anna Coggeshall, Bryan Coggeshall, Katherine Coggeshall, Lauren Trent Fulmer, and Thomas Buckhannon, Defendants.	**COMPLAINT** **(Jury Trial Demanded)**

Plaintiff, by and through his undersigned attorney, submits this Complaint and alleges as set forth below.

PARTIES

1. Plaintiff Justin Shayne Fulmer ("Justin") is a citizen of South Carolina, who resides in Horry County, South Carolina.
2. Defendant Melissa Emery Buckhannon, Esq., is citizen of South Carolina, who resides in Horry County, South Carolina.
3. Defendant Lauren Trent Fulmer is a citizen of South Carolina, who resides in Horry County, South Carolina, and she is a South Carolina licensed nurse practitioner treating patients in Horry County, South Carolina.
4. Defendant SC House Calls, Inc. employs Defendant Lauren Trent Fulmer in

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

Horry County, South Carolina. SC House Calls, Inc. is a South Carolina corporation doing business in Horry County, South Carolina.

5. Defendant Anna Coggeshall is a citizen of South Carolina, who resides in Horry County, South Carolina.
6. Defendant Bryan Coggeshall is a citizen of South Carolina, who resides in Horry County, South Carolina.
7. Defendant Katherine Coggeshall is a citizen of South Carolina, who resides in Horry County, South Carolina.
8. Defendant Frazier Law Firm, PC is South Carolina corporation doing business in the State of South Carolina, including in Horry County, South Carolina.
9. Defendant Thomas Buckhannon is a citizen of South Carolina, who resides in Horry County, South Carolina.

JURISDICTION AND VENUE

10. This Court has subject-matter jurisdiction over the claims in this lawsuit under Article V § 11 of the South Carolina Constitution and, *inter alia*, South Carolina Code §§ 14-5-350 *et seq*. and 15-7-10 *et seq*.
11. This Court has jurisdiction over the parties because they reside, own property, and do business in Horry County, and the actions alleged occurred in Horry County.
12. Venue is proper in this circuit under, *inter alia*, South Carolina Code § 15-7-30 *et seq*. because a substantial part of the events or omissions giving rise to the claim occurred in Horry County.

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

This lawsuit involves the concerted effort by numerous people to damage the Plaintiff, Justin, including by depriving him of his livelihood, his privacy, his reputation, and his three-year old child. Shockingly, many of the Defendants are in positions of power, which they have wielded to Justin's great detriment.

BACKGROUND FACTS

13. Justin has a little daughter, whom he dearly loves.

14. Justin has spent at least ten years gradually working his way up in the competitive and lucrative oval dirt-track racing industry. Justin got involved in the industry as a child, and it is a link for him to his auto-mechanic father, who died when Justin was 17 years old.

15. Since 2009, Justin has been employed by Palmetto Speedshop, LLC ("Palmetto Speedshop"). Palmetto Speedshop is not a party to this litigation.

16. Justin started out in Palmetto Speedshop's warehouse, handling the shipping and receiving of race car parts, fulfilling purchase orders, and performing general labor. Justin's annual salary for this warehouse position was approximately $30,000/year. (*See* Exhibit 1, Affidavit of Matthew T. Bryant, incorporated herein by reference).

17. Justin was, and is, an exemplary employee. When Palmetto Speedshop began selecting people to learn driver development coaching, they included Justin in this opportunity. (*Id.*).

18. In 2017, Justin participated in a year-long training program, after which he was given the position of Palmetto Speedshop's Driver Development Coach. This

position entailed Justin working with and coaching young drivers, to refine their racing skills. Justin was working with children, ages 6-12 years old, and he was great at it. (*Id.*).

19. As a Driver Development Coach, Justin earned $107,000/year. (*Id.*). This was a significant increase over his previous salary in his warehouse position.

20. This lawsuit is about the damage done to Justin's career, emotional well-being, relationship with his daughter, finances, and reputation in the community, by a group of people acting in concert with intent to harm him, as well as separately, by their individual acts. Because there are so many Defendants involved, and it may get confusing for the reader, Exhibit 2 is a chart of the parties to this lawsuit.

21. Several years ago, Justin fathered a baby daughter out of wedlock with Defendant Anna Coggeshall ("Anna"). Justin and Anna have a court-ordered custody and child support agreement in place.

22. Anna does not like Justin.

23. Anna has been actively working to destroy Justin's reputation, career, and relationship with his little daughter.

24. But Anna has not been acting alone.

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

Part 1, The Destruction of Justin's Livelihood and Reputation

25. Defendant Lauren Trent Fulmer ("Lauren") is in the midst of a divorce from Justin. Lauren is predisposed to wish ill against Justin.

26. Lauren and Anna know each other, and they communicate frequently. They are united in their animosity toward Justin.

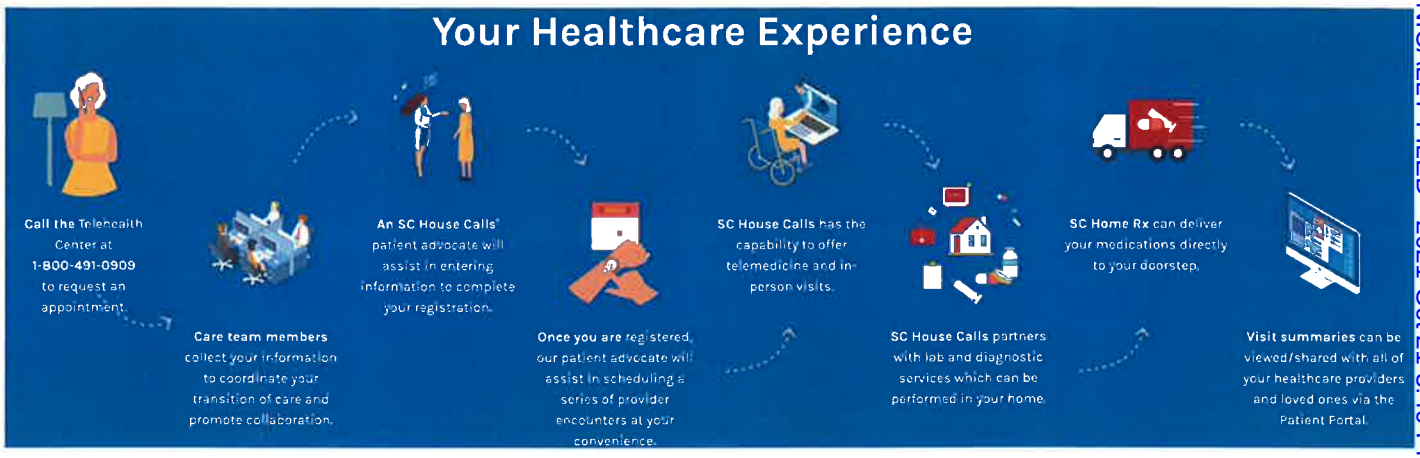
27. Lauren is a registered nurse practitioner.

28. Lauren is, or was at all times relevant to this action, employed by Defendant SC House Calls, Inc. ("SC House Calls").

29. SC House Calls is a business that acts as a middleman, or broker, between patients and health care providers. SC House Calls provides "a network of over 250 Nurse Practitioners, Physician Assistants, and Doctors who see patients in private residences . . . or via Telemedicine throughout the State of South Carolina." (Exhibit 3, Screenshot of SC House Calls website https://schousecalls.com/about , last accessed on October 19, 2021).

30. SC House Calls performs patient intake and scheduling; it then connects patients with its network of healthcare providers. Defendant SC House Calls collects and maintains the confidential health records of its providers' numerous patients, which medical records can be accessed by its network of patient providers at any time. A chart on its website gives an overview of the intake process and the services that SC House Calls provides:

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975



(Ex. 3).

31. Defendant SC House Calls maintains a database, which contains all of its patients' confidential information, including but not limited to its patients' personal and confidential:

- provider treatment charts,
- social histories,
- medical histories,
- records of physician visits,
- results of physical examinations,
- lists of prescription medications,
- family histories,
- sexual histories,
- demographic information,
- screening results,
- problems and concerns,
- test results,
- psychiatric histories,
- assessments,
- evaluations,
- diagnoses, and
- plans for treatment.

32. Justin has been a patient of various providers, through SC House Calls, for several years.

33. SC House Calls maintains within its database confidential information about Justin, which was gained from its providers' healthcare relationship with him over the course of years.

34. As an employee of SC House Calls, Lauren is capable of accessing its database full of confidential patient information.

35. Lauren accessed Justin's confidential information in SC House Calls' database.

36. Justin's confidential information includes his provider treatment charts, social history, medical history, records of physician visits, results of physical examinations, lists of prescription medications, family history, sexual history, demographic information, screening results, problems and concerns, test results, psychiatric history, assessments, evaluations, diagnoses, and plans for treatment (Justin's "Confidential Patient Information").

37. Lauren took this highly personal, sensitive, and confidential information about Justin, and she shared it with Anna.

38. Among other things, Lauren told Anna about medications that Justin was taking, and medications which he had taken in the past. Because Lauren is a nurse practitioner, with medical knowledge, and with access and reference to the Confidential Patient Information, she told Anna about why these medications were prescribed. Lauren gave Anna details about Justin's mental health conditions. Lauren told Anna about the side effects of Justin's prescription medications, including side effects such as potential mania and mood swings, among other things.

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

39. Lauren told Anna that Justin would need to be on these medications for life, and that they made him too unstable to be around small children. This was false information.

40. Anna took this Confidential Patient Information obtained from Lauren and SC House Calls, and she began to tell people about it.

41. Anna shared Justin's Confidential Patient Information with her parents, Defendants Bryan Coggeshall and Katherine Coggeshall ("Bryan" and "Katie").

42. Defendants Bryan and Katie are well-connected, influential people in the community.

43. Bryan and Katie shared Justin's Confidential Patient Information with members of the community, including parents and relatives of children that Justin coached in his Driver Development position with Palmetto Speedshop.

44. Bryan and Katie told members of the community that Justin was taking drugs.

45. Anna is a first-grade teacher at a local school, and she knows many parents in the community.

46. Anna told parents of the children that Justin coached in his Driver Development position with Palmetto Speedshop that Justin was on drugs that made him unstable.

47. Anna told other people in the community, including those involved in the racing industry, that Justin was on drugs that made him unstable.

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

48. Anna also told local parents, and other members of the community, that Justin was physically abusive. This is untrue.

49. The rumors spread.

50. Community parents, having learned of Justin's Confidential Patient Information from Anna, Bryan, and Katie, began to go to Justin's boss at Palmetto Speedshop and express their concerns about Justin's purported drug use and instability. (Ex. 1).

51. Anna, Bryan, and Katie had spread these sorts of rumors about Justin before, but the rumors were given new life, credibility, and urgency by Lauren's dissemination of Justin's Confidential Patient Information, which she accessed through the SC House Calls database.

52. The concerned parents, who were the customers of Palmetto Speedshop, were worried about Justin being around young children due to concerns related to the Confidential Patient Information that they had learned from Anna, Bryan, and Katie, as well as the lies about physical abuse.

53. Because the parents of the young children coached by Justin were so worried, Justin's boss at Palmetto Speedshop felt that he had no choice but to remove Justin from his position as a Driver Development Coach and return him to his warehouse position, although he nonetheless believed Justin to be an exemplary employee. (Ex. 1).

54. Palmetto Speedshop reduced Justin's annual salary to $38,000—a massive reduction from the $107,000/year that he was earning as a coach. (Ex. 1).

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

55. Justin has been financially and emotionally devastated, as well as mortified, by the disclosure of his Confidential Patient Information by Defendants Lauren and SC House Calls.

56. Justin has been financially and emotionally devastated by the rumors circulated about him by Anna, Bryan, and Katie, which were fueled by Confidential Patient Information improperly divulged by Lauren and SC House Calls.

57. The unauthorized and improper disclosure of Justin's Confidential Patient Information by the Defendants has destroyed Justin's reputation within the community, such that it will be very difficult—or impossible—for Justin to return to his career as a youth coach.

Part 2, The Destruction of Justin's Relationship with his Child

58. The allegations above and below are repeated herein verbatim.

59. As the reader may recall, Justin has a little three-year-old daughter with Defendant Anna, although he and Anna were never married.

60. Several years ago, Justin and Anna litigated and received a court-ordered Child Custody and Child Support Agreement.

61. Family Court litigation is expensive, time consuming, and emotionally taxing, and Justin was relieved, mentally and financially, when a final order and agreement were in place.

62. Anna was represented in the Family Court case by an attorney named Melissa Frazier, Esq., of Defendant Frazier Law Firm, P.C.

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

63. The judge who presided over the case and entered the Final Order was the Honorable Jan B. Bromell Holmes. She is not a party to this litigation.

64. For over a year, Justin and Anna harmoniously abided by the terms of the Final Order.

65. But, in or around the summer of 2021, Anna learned from Lauren about Justin's Confidential Patient Information stored within the SC House Calls database.

66. At that time, Lauren was in the beginning stages of divorce from Justin, which Anna encouraged. Anna told Lauren, as well as Lauren's family, that Justin was a terrible person.

67. Lauren told Anna, based on the Confidential Patient Information she accessed within the SC House Calls patient database, that Justin was too unstable to care for a child.

68. Anna told Lauren that she wanted to reduce Justin's visitation rights with his daughter. Anna and Lauren agreed that now was a good time to do so, since Justin was not in a position to afford a lawyer (because, among other things, they had caused Justin to lose his hard-won position as a Driver Development Coach). They strategized, planning to wait on him to run low on money and then hit him with a legal attack that he could not afford.

69. Anna talked to her parents, Defendants Bryan and Katie, about her desire to deprive Justin of visitation rights with his little girl.

70. Defendants Bryan and Katie dislike Justin.

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

71. Bryan, Katie, and Anna developed a plan to curtail Justin's visitation rights. But they could not accomplish their plan alone.

72. Bryan is friends with Defendant Thomas Buckhannon ("Tommy"). Tommy is an officer with the South Carolina Department of Natural Resources ("SCDNR"), and Bryan is an avid boater.

73. Tommy is married to Defendant the Honorable Melissa Emery Buckhannon ("Judge Buckhannon").

74. Judge Buckhannon is a resident Family Court Judge for Horry County.

75. Bryan and Katie had numerous conversations with Tommy about Justin, in which they told Tommy, falsely, that Justin was a bad parent who was violating his child custody agreement with Anna. Bryan and Katie told Tommy these—and numerous other falsehoods about Justin—with a design to defame Justin in the eyes of Tommy and Judge Buckhannon.

76. On several occasions, Bryan and Katie urged Tommy to talk to his wife, Judge Buckhannon. Bryan and Katie asked Tommy to have Judge Buckhannon intervene on Anna's behalf within the Family Court system, and to help reduce or deprive Justin of his visitation rights.

77. Tommy assured Bryan and Katie that he would get Judge Buckhannon involved.

78. This is where the narrative should have stopped. Judge Buckhannon should not have entertained any information at all from Tommy, Bryan, or Katie about a Family Court case.

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

79. But Judge Buckhannon listened to Tommy talk at length about Justin and Anna. Tommy conveyed to her false information about Justin's violation of his child custody agreement, and his unfitness to parent the child.

80. Judge Buckhannon should not have acted on this information.

81. But Judge Buckhannon called up attorney Melissa Frazier of Defendant Frazier Law Firm, whom Judge Buckhannon **knew** represented Anna in her Family Court litigation against Justin.

82. Frazier Law Firm had nearly closed its file on the matter because Judge Jan Bromell Holmes had issued her Final Order over a year prior.

83. Judge Buckhannon told Frazier Law Firm numerous false details about Justin, including that Justin was violating his custody agreement with Anna. Among other advice, Judge Buckhannon urged Frazier Law Firm to return to court on Anna's behalf.

84. Judge Buckhannon's conversations with attorney Melissa M. Frazier, Esq., of Frazier Law Firm were **highly inappropriate** *ex parte* communications, and they *per se* caused Justin harm.

85. Frazier Law Firm knew that it should not engage in highly inappropriate *ex parte* communications with Judge Buckhannon, or with any judge whatsoever.

86. But Frazier Law Firm disregarded its ethical obligations. Instead, Frazier Law Firm chose to act to gain an unfair advantage for itself in its representation of Anna, to the detriment of Justin.

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

87. Among other things, Frazier Law Firm called up Anna and advised her that her father, Bryan, should not talk too much with Tommy and Judge Buckhannon, because then Frazier Law Firm and Anna might not be able to appear before Judge Buckhannon in court. Frazier Law Firm explained that this would be bad, because they might instead get a "bad judge" (like Judge Bromell Holmes, who entered the previous order), or an unknown visiting judge.

88. With the encouragement of Judge Buckhannon, who was acting at the urging of her husband Tommy, as well as Anna's parents Bryan and Katie, Frazier Law Firm prepared to return to court to recommence litigation on Justin and Anna's Final Order and Custody Agreement. Frazier Law Firm sent a letter to Justin in anticipation of this litigation.

89. Justin had no choice but to retain an attorney to defend against new and untrue allegations. This has been to his financial detriment.

90. Justin now worries constantly that he will lose his rights to see his little girl.

91. On his lesser salary, Justin worries constantly that he will face penalties if he cannot pay child support.

92. Justin is devasted to know that a Family Court Judge would intervene to assist a single party in a custody battle.

93. Justin is shocked and deeply unsettled to learn that Frazier Law Firm would act to keep secret its client's advantageous relationship with a judge, and its own *ex parte* communications with that judge.

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

94. Because of Judge Buckhannon's and Frazier Law Firm's actions, Justin is now suspicious and untrusting of the Family Court system, and he has lost faith that it will fairly and impartially interpret and apply the law.

95. Justin has been experiencing, and continues to endure, extreme emotional and financial distress because of the Defendants' actions.

96. Justin's distress is taking an enormous mental and physical toll on him.

FIRST CAUSE OF ACTION
(Civil Conspiracy)
Against: Defendants Anna Coggeshall, Lauren Trent Fulmer, Bryan Coggeshall, Katherine Coggeshall, and SC House Calls, Inc.

97. The allegations above and below are incorporated into this cause of action as if set forth fully herein.

98. As set forth above, Defendants Anna Coggeshall, Lauren Trent Fulmer, individually and as an employee of SC House Calls, SC House Calls, Inc., Bryan Coggeshall, and Katherine Coggeshall together engaged in a scheme of defaming Justin, including by unlawfully disseminating Justin's private and Confidential Patient Information to members of the community, causing Justin damages.

99. Defendants' concerted purposes were intentionally designed to injure Justin, including by embarrassing him, causing him to lose his position as a Driver Development Coach, rendering him incapable of working in his chosen career, destroying his reputation in the community, and otherwise harming him professionally and personally.

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

100. The conspiracy achieved much of its intent, as set forth above, including by causing Justin to lose his position and income, and by publicly humiliating him.

101. As such, Justin has been damaged by these Defendants' combined actions, including but not limited to by Justin's loss of his high-paying job, loss of his future earning power as a youth coach, loss of his chosen career, loss of his good reputation in the community, mental anguish, and numerous additional damages to be proven at trial, including attorney's fees.

102. Justin is entitled to actual damages, currently estimated to be well over Two Million Dollars, as well as punitive damages from these Defendants, and to his attorney's fees and the costs of this action.

SECOND CAUSE OF ACTION
(Civil Conspiracy)
Against: Anna Coggeshall, Lauren Trent Fulmer, Bryan Coggeshall, Katie Coggeshall, Thomas Buckhannon, Melissa Emery Buckhannon, Esq., and Frazier Law Firm, P.A.

103. The allegations above and below are incorporated into this cause of action as if set forth fully herein.

104. As set forth above, Defendants Anna Coggeshall, Lauren Trent Fulmer, Bryan Coggeshall, Katie Coggeshall, Thomas Buckhannon, Melissa Emery Buckhannon, Esq., and Frazier Law Firm, P.A., together engaged in a scheme of collecting and spreading false information about Justin's purported ability to raise and interact with his young daughter.

105. Defendants' concerted purposes included the intent to injure Justin,

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

including by harming his relationship with his daughter and harming his ability to raise and spend time with his daughter.

106. The conspiracy achieved much of its intent, as set forth above, including by compromising and jeopardizing Justin's ability to raise and spend time with his daughter, and embroiling him in additional costly litigation of a Family Court case that had already been settled and resolved.

107. As such, Justin has been damaged by these Defendants' combined actions, including but not limited to by the accumulation of attorney's fees necessary to maintain visitation with his daughter, mental anguish, and for the cost and fees of the prosecution of this lawsuit.

108. Justin is entitled to actual and punitive damages from these Defendants, and to attorney's fees and the cost of this this action.

THIRD CAUSE OF ACTION
(Defamation)
Against: Anna Coggeshall, Lauren Trent Fulmer, Bryan Coggeshall, Katherine Coggeshall, Thomas Buckhannon, and Melissa Emery Buckhannon, Esq.

109. The allegations above and below are incorporated into this cause of action as if set forth fully herein.

110. As described above, each of these Defendants made false and defamatory statements about Justin, including about his medical condition, his purported behavior while on medication, his purported inability to work with children, his purported drug use, his alleged physical abusiveness, his purported instability, his alleged impropriety or inadequacy in performing his trade or

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

profession, his purported violation of his custody agreement, and other matters discussed herein.

111. The defamatory statements were made (published) with actual or implied malice to numerous people within the community by each of these Defendants.

112. The publication of the false statements caused, and continues to cause, harm to Justin, including shame, mortification, loss of his livelihood and earning power, mental anguish, loss of reputation, and other damages to be proven at trial.

113. Justin is entitled to actual damages, currently estimated to be well over Two Million Dollars, and punitive damages from each of these Defendants.

FOURTH CAUSE OF ACTION
(Intentional Infliction of Emotional Distress)
Against: Anna Coggeshall, Lauren Trent Fulmer, Bryan Coggeshall, Katherine Coggeshall, Thomas Buckhannon, Melissa Emery Buckhannon, Esq., and SC House Calls, Inc.

114. The allegations above and below are incorporated into this cause of action as if set forth fully herein.

115. As discussed above, each of these Defendants intentionally and/or recklessly spread false rumors and/or revealed confidential information about, *inter alia*, Justin's medical condition, fitness for his work, drug use, purported physical abusiveness, and ability to care for his young daughter.

116. In doing so, each of these Defendants intentionally or recklessly inflicted severe emotional distress on Justin or were certain or substantially certain that

such distress would result from their conduct.

117. The actions of each of these Defendants was so extreme and outrageous as to exceed all possible bounds of decency.

118. Each of these Defendants' actions, including deliberately spreading false rumors, engaging in verboten *ex parte* communications, and divulging deeply personal medical information, all were atrocious and utterly intolerable in a civilized community.

119. The actions of each of these Defendants caused, and are causing, Justin extreme emotional distress.

120. The emotional distress suffered by Justin is so severe as not to be endured by a reasonable person.

121. Justin is entitled to actual and punitive damages from each of these Defendants.

FIFTH CAUSE OF ACTION
(Negligent Infliction of Emotional Distress)
Against: Anna Coggeshall, Lauren Trent Fulmer, Bryan Coggeshall, Katherine Coggeshall, Thomas Buckhannon, Melissa Emery Buckhannon, Esq., and SC House Calls, Inc.

122. The allegations above and below are incorporated into this cause of action as if set forth fully herein.

123. As discussed above, each of these Defendants negligently spread false rumors and/or revealed confidential information about, *inter alia*, Justin's medical condition, fitness for his work, drug use, purported physical abusiveness, and ability to care for his young daughter.

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

124. In doing so, each of these Defendants negligently inflicted severe emotion distress on Justin.

125. The actions of each of these Defendants was so extreme and outrageous as to exceed all possible bounds of decency.

126. Each of these Defendants' actions, including deliberately spreading false rumors, engaging in verboten *ex parte* communications, and divulging deeply personal medical information, all were atrocious and utterly intolerable in a civilized community.

127. The actions of each of these Defendants caused, and are causing, Justin emotional distress.

128. The emotional distress suffered by Justin is so severe as not to be endured by a reasonable person.

129. Justin is entitled to actual and punitive damages from each of these Defendants.

SIXTH CAUSE OF ACTION
(Breach of Confidentiality)
Against Defendants SC House Calls, Inc.
and Lauren Trent Fulmer

130. The allegations above and below are incorporated into this cause of action as if set forth fully herein.

131. A confidential relationship existed and exists between Justin and SC House Calls and its employee Lauren Trent Fulmer.

132. These Defendants possessed, and continue to possess, Justin's Confidential Patient Information, including his medical history and medical treatment, as

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

discussed above.

133. These Defendants improperly disclosed Justin's Confidential Patient Information to third parties, including to Defendant Anna, to Palmetto Speedshop customers, to parents of young children, and to other members of the community.

134. Justin did not consent to that disclosure, and there was no applicable privilege.

135. As a result, Justin has been damaged, and continues to suffer damages, as discussed above.

136. Justin is entitled to actual and punitive damages from these Defendants.

SEVENTH CAUSE OF ACTION
(Negligence)
Against: Anna Coggeshall, Lauren Trent Fulmer, and SC House Calls, Inc.

137. The allegations above and below are incorporated into this cause of action as if set forth fully herein.

138. Defendant Lauren Trent Fulmer is married to Justin.

139. Defendant Laurent Trent Fulmer is an employee and agent of SC House Calls, Inc.

140. As such, Lauren Trent Fulmer has a special relationship with, and a duty to, Justin.

141. Defendant Anna Coggeshall has a child with Justin and the two of them are jointly engaged in raising and parenting their child.

142. As such, Anna Coggeshall has a special relationship with, and a duty to,

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

Justin.

143. Justin is a customer of SC House Calls, which holds and maintains confidential medical and other information belonging to Justin.

144. As such, SC House Calls has a special relationship with, and a duty to, Justin.

145. These Defendants breached their duties to Justin as set forth above, including by (*inter alia*) obtaining and divulging his confidential information with the intent of harming his employment and relationship with his child, and by spreading false and damaging rumors to harm his employment and relationship with his child.

146. As a result of the breach of their duties, these Defendants have proximately caused damages to Justin, as described above.

147. Justin is entitled to actual damages from these Defendants.

EIGHTH CAUSE OF ACTION
(Negligent Supervision)
Against: SC House Calls, Inc.

148. The allegations above and below are incorporated into this cause of action as if set forth fully herein.

149. At all relevant times, SC House Calls, Inc., employed Lauren Trent Fulmer.

150. SC House Calls allowed Lauren Trent Fulmer access to confidential information within the possession, custody, or control of SC House Calls.

151. As her employer, SC House Calls had the ability and duty to supervise Lauren Trent Fulmer and to control, *inter alia*, her access to the information in

the possession, custody, or control of SC House Calls.

152. As described above, SC House Calls had possession, custody, and/or control of confidential medical and other information belonging to Justin.

153. SC House Calls allowed Lauren Trent Fulmer access to Justin's confidential information, and it did not have adequate restrictions in place to limit, or properly control access to, that confidential information.

154. SC House Calls knew, or should have known, of the necessity of exercising control over confidential medical and other information, including that belonging Justin.

155. SC House Calls improperly failed to supervise its employee Lauren Trent Fulmer, resulting in the numerous egregious actions and damages described herein.

156. Justin is entitled to actual and punitive damages from Defendant SC House Calls.

WHEREFORE, Justin requests that judgment be entered against Defendants Anna Coggeshall, Bryan Coggeshall, Katherine Coggeshall, Lauren Trent Fulmer, Frazier Law Firm PC, SC House Calls, Inc., Thomas Buckhannon, and Melissa Emery Buckhannon, Esq., on all causes of action alleged against them, and that Plaintiffs be awarded:

A. Actual damages;

B. Consequential damages;

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

C. Punitive damages;

D. Pre-judgment and post-judgment interest;

E. Attorney's fees and costs; and

F. Such other and further relief as the Court and jury deem just and appropriate.

Respectfully submitted,

s/ William B. von Herrmann
William B. von Herrmann
S.C. Bar No. 15675
von Herrmann Law Firm
212 Elm Street
Conway, South Carolina 29526
(843) 488-1030

October 21, 2021
Conway, South Carolina

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

Exhibit 1

AFFIDAVIT OF MATTHEW THOMAS BRYANT

PERSONALLY APPEARED BEFORE ME, **Matthew Thomas Bryant,** who, after being duly sworn, deposes and states, under penalty of perjury:

1. My name is Matthew Thomas Bryant and I am the owner of Palmetto Speedshop, LLC, located in Conway, South Carolina. I have owned this business for 18 years. We service the dirt oval racing industry. My company sells parts, offers in-shop and at-track services.

2. Justin Fulmer began working for me in 2009 as warehouse manager with a salary of approximately 30,000.00 per year. His duties included shipping and receiving, purchase orders, and general labor. I knew Justin through the industry prior to my hiring him and had very good references.

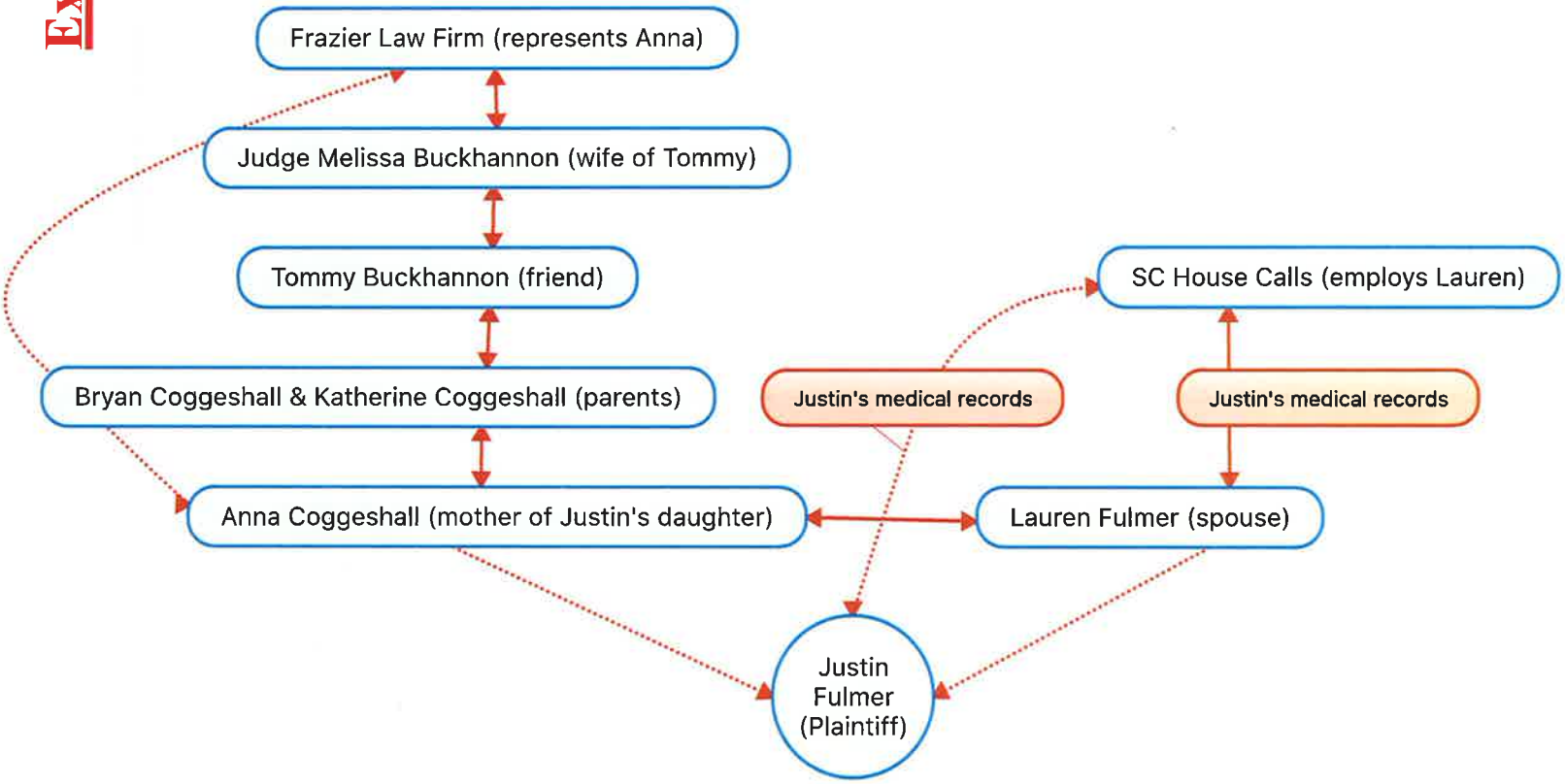
3. In 2017, my company invested a substantial amount of money to learn driver development and coaching, which means we would be at race tracks coaching young drivers to refine their driving skills. A driver development coach works directly with drivers (ranging from ages 6-12) and mechanics (who are generally parents of the drivers). This issue has affected the income and profits of the company.

4. It took one year to learn the trade. In 2018, Justin began working with different teams and his salary was increased based on the customer base.

5. In 2019, Shane Mills, who, among many people, heard of the allegations from Bryan and Katherine Coggeshall, came to me and told me that he had heard that Justin was using drugs. I told him, and anyone else that brought this up, that Justin was not using drugs and for them not to worry about that. Customers were concerned because Justin worked closely with them and

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

Exhibit 2


Frazier Law Firm (represents Anna)
Judge Melissa Buckhannon (wife of Tommy)
Tommy Buckhannon (friend)
Bryan Coggeshall & Katherine Coggeshall (parents)
Anna Coggeshall (mother of Justin's daughter)
SC House Calls (employs Lauren)
Justin's medical records
Justin's medical records
Lauren Fulmer (spouse)
Justin Fulmer (Plaintiff)

https://schousecalls.com/abo

schousecalls.com/about

Update

SC House Calls

About → Patients → Healthcare Partners → Contact Us

Referral | Patient Portal | Medical Records Request

Your Healthcare Experience

Call the Telehealth Center at **1-800-491-0909** to request an appointment.

Care team members collect your information to coordinate your transition of care and promote collaboration.

An SC House Calls' patient advocate will assist in entering information to complete your registration.

Once you are registered, our patient advocate will assist in scheduling a series of provider encounters at your convenience.

SC House Calls has the capability to offer telemedicine and in-person visits.

SC House Calls partners with lab and diagnostic services which can be performed in your home.

SC Home Rx can deliver your medications directly to your doorstep.

Visit summaries can be viewed/shared with all of your healthcare providers and loved ones via the Patient Portal.

Have questions? Find answers!

Frequently Asked Questions

EXHIBIT 3

Who are we?

SC House Calls is a network of over 250 Nurse Practitioners, Physician Assistants, and Doctors who see patients in private residences, assisted living communities, skilled nursing facilities, clinics, or via Telemedicine throughout the state of South Carolina.

What we provide?

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

VERIFICATION

PERSONALLY appeared before me the Plaintiff in the foregoing action, who being duly sworn, deposes and says:

(a) That this Deponent has read the allegations contained in the attached pleading.

(b) That the attached pleading was prepared by this Deponent's attorney based upon information this Deponent has personally furnished to said attorney.

(c) That the allegations contained in the attached pleading are true and correct, and are based upon the personal knowledge of this Deponent, except for those allegations which are based upon this Deponent's information and belief and, as to those, this Deponent verily believes the same to be true.

(d) That this Deponent has authorized said attorney to file the attached pleading, to present the same to the court and secure any necessary Orders based thereon, and to secure service upon the adverse party of the attached pleading and necessary process based thereon.

(e) That this Deponent understands that this Verification is sworn to and given under oath.

Justin Shayne Fulmer, Plaintiff

SWORN to before me this
20 day of October, 2021.

Notary Public of South Carolina Shannon Nagy
My Commission Expires 1-21-2030

ELECTRONICALLY FILED - 2021 Oct 21 3:49 PM - HORRY - COMMON PLEAS - CASE#2021CP2606975