

STATE OF SOUTH CAROLINA
COUNTY OF HAMPTON

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT

C/A No. 2021-CP-25-00392

RENEE S. BEACH, PHILLIP BEACH,
ROBIN BEACH, SAVANNAH TUTEN,
AND SETH TUTEN,

Plaintiffs,

v.

GREGORY M. PARKER, GREGORY
M. PARKER, INC. d/b/a PARKER'S
CORPORATION, BLAKE GRECO,
JASON D'CRUZ, VICKY WARD,
MAX FRATODDI, HENRY ROSADO,
AND PRIVATE INVESTIGATION
SERVICES GROUP, LLC,

Defendants.

**THE PARKER'S DEFENDANTS'
RESPONSE IN OPPOSITION TO NON-
PARTY AMANDA MATNEY'S MOTION
TO RECONSIDER**

Defendants Gregory M. Parker ("Mr. Parker"), Gregory M. Parker, Inc. d/b/a Parker's Corporation, Blake Greco, and Jason D'Cruz (collectively, "Parker's Defendants"), by and through their undersigned attorneys, hereby submit this Response in Opposition to the Motion to Reconsider ("Motion") filed by Non-Party Amanda "Mandy" Matney ("Ms. Matney") on August 2, 2026. For the reasons set forth herein, the Motion should be denied.

BACKGROUND AND PROCEDURAL HISTORY

A. The Leadup to Ms. Matney's Contemptuous Conduct

1. On October 17, 2025, the Parker's Defendants served Ms. Matney with a subpoena duces tecum which noticed her for a deposition for October 29, 2025, at a law firm in Bluffton, South Carolina.

2. After Ms. Matney objected, on November 5, 2025, the Parker's Defendants noticed another deposition at the same location for November 17, 2025.

3. On November 12, 2025, Ms. Matney filed a Motion to Quash or, alternatively, for a Protective Order. Ms. Matney argued that she was shielded by the Reporter's Privilege, codified in S.C. Code Ann. § 19-11-100; the deposition was an undue burden under Rule 45(c)(3)(A)(iv), SCRCF; and her testimony lacked relevance. That motion did not raise any concerns with the location of the noticed deposition.

4. On November 25, 2025, Ms. Matney filed an affidavit in which she averred that she moved to quash the subpoena because she was not available on the requested date; her testimony would require her to divulge information protected by the Reporter's Privilege; and the subpoena imposed an undue burden on her. She explained that she and her husband produce two weekly podcasts and are Executive Producers on a Hulu series which required travel, and any interruption would negatively affect her household finances. She also averred that she did not have any relevant information in this case and the deposition was part of the Parker's Defendants' goal to harass and humiliate her.¹ Ms. Matney's affidavit did not indicate, however, that she had any safety concerns about appearing for in-person deposition—or that she had any concerns about the security at the noticed location.

5. The Court held a hearing on November 26, 2025, and took the motion under advisement.

6. On February 5, 2026, the Court denied Ms. Matney's Motion to Quash and her alternative Motion for a Protective Order. The Court concluded that the Reporter's Privilege did

¹ Like most if not all of the allegations made by Ms. Matney in this case, this one was incorrect. Some of Ms. Matney's fictional narratives that she has circulated on social media attacking the Parker's Defendants, their counsel, and the South Carolina court system are detailed herein.

not provide blanket protection from being deposed; Ms. Matney's testimony was relevant; and she had failed to establish an undue burden. (Form 4 Order filed Feb. 5, 2026.)

B. Ms. Matney's Contemptuous Conduct

7. On February 10, 2026, counsel for the Parker's Defendants e-mailed counsel for Ms. Matney a subpoena for her deposition on March 2, 2026, again listing the same location as noticed in the previous subpoenas.

8. On February 17, 2026, Ms. Matney filed a Motion to Reconsider. Ms. Matney again argued that she was entitled to protection under the Report's Privilege; the deposition would impose an undue burden; and that she was subject to unusual harassment related to this litigation. She again did not raise any concerns with location of the noticed deposition.

9. On February 18, 2026, counsel for Ms. Matney responded to the February 10th e-mail, confirming acceptance of the Second Subpoena and raising no objection as to the location listed therein. Counsel indicated she was not available on March 2, 2026, or certain other dates in March but she identified no conflict with the week of March 23, 2026.

10. On February 19, 2026, counsel for the Parker's Defendants agreed to change the deposition date to March 23, 2026. Accordingly, on February 24, 2026, counsel for the Parker's Defendants served another subpoena that amended the date to March 23rd, listing the same location as the previous subpoenas.

11. On March 8, 2026, counsel for Ms. Matney informed the Parker's Defendant that because her motion to reconsider remained pending, she did not intend to appear for a deposition on March 23, 2026. Again, counsel raised no objection to the noticed location.

12. On March 11, 2026, Ms. Matney's counsel requested that no deposition date be scheduled until the Court ruled on her pending motion to reconsider. Counsel further indicated that

she was unavailable on March 23, 2026, due to a federal court hearing that had just been scheduled but was available on March 27, 2026. Again, counsel for Ms. Matney raised no objection as to the noticed location listed in all of the subpoenas to date.

13. On March 12, 2026, the Court's law clerk asked the parties to provide the Court with a scheduling agreement outlining the selected date that the deposition would occur. The next day, counsel for the Parker's Defendants sent a proposed scheduling agreement to Ms. Matney's counsel. Counsel for the Parker's Defendants also offered to conduct the deposition at either the Bluffton location previously identified in all of the subpoenas or the law office of Maynard Nexsen in Columbia, South Carolina.

14. On March 16, 2026, the Court denied Ms. Matney's Motion for Reconsideration, finding that she failed to present any newly discovered evidence, manifest errors of law or fact, or an intervening change in controlling law that would warrant relief under Rule 59(e), SCRCF. (Form 4 Order filed March 16, 2026.) The Court ordered that she be deposed within fourteen days from the entry of the Order. (*Id.* at 1.) On March 17, 2026, the Parker's Defendants noticed Ms. Matney's deposition for March 27, 2026, at the same location in Bluffton as the previous subpoenas.

15. On March 19, 2026, having not heard from Ms. Matney's counsel, the Parker's Defendants' counsel contacted Ms. Matney's counsel to confirm March 27th as the date for the deposition, as had been previously agreed. The next day, on March 20, 2026, Ms. Matney's counsel responded by stating that Ms. Matney would not appear at the noticed location and would only agree to be deposed at another location in Bluffton, the office of her lawyer, Meredith Bannon ("Ms. Bannon"). Ms. Matney voiced freshly minted claims, through counsel, that she felt unsafe at the noticed location, a known and well-regarded law firm in Bluffton. It bears repeating that this

new claim was made less than a week before her deposition was scheduled to occur.

16. On March 21, 2026, the Parker's Defendants responded and again offered to move the deposition to the Maynard Nexsen law firm in Columbia, which is located in a building with security, or a hotel conference room in Bluffton. Ms. Matney rejected both of these alternate locations and insisted that she would agree to be deposed at only one place—Ms. Bannon's law firm. Ms. Matney also insisted that her husband, a non-party, be allowed to attend her deposition.² Ms. Matney failed to offer a location suitable to the Parker's Defendants, so the Parker's Defendants insisted that she appear at the place and time noticed in the subpoena.³

17. On March 25, 2026, less than 36 hours before the scheduled deposition, Ms. Matney filed an Emergency Motion to Set Deposition Location. The Parker's Defendants filed a response opposing the Emergency Motion on March 26, 2026. Counsel for the Parker's Defendants also exchanged a number of e-mails with Ms. Matney's counsel—and Matney's counsel appeared unwilling to seek a compromise, insisting that Ms. Matney would only appear at the place of her choosing. Counsel for the Parker's Defendants indicated that they would arrive early at the noticed

² Ms. Matney co-owns the media company LunaShark Media with her husband, David Moses ("Mr. Moses"). LunaShark also employs Elizabeth Farrell ("Ms. Farrell"). Ms. Farrell stated her intention to tape record her own deposition and to make that recording the sole property of LunaShark Media. Despite the fact that the Rules of Civil Procedure do not allow this, Ms. Matney and LunaShark apparently obtained a copy of that deposition and made substantial use of it in their negative media campaign against the Parker's Defendants prior to the scheduled March 27, 2026, deposition. Thus, the Parker's Defendants had reasonable concerns that Ms. Matney and Mr. Moses might attempt to surreptitiously record the deposition if it occurred at the Bannon Law Firm.

³ Ms. Matney did not offer a location for her deposition at any place other than the Bannon Law Firm in Bluffton prior to her failure to appear at noticed location on March 27, 2026. Only after the Parker's Defendants filed their Motion for Rule to Show Cause did Ms. Matney offer to use: (1) the law office of her podcaster collaborator, Mr. Bland, in Lexington, South Carolina; (2) Ms. Lindahl's office in Charlotte; (3) the Beaufort County courthouse; or (4) other Bannon law firm locations of unknown size and capacity in the Savannah and Charleston areas. (Matney's Resp. to RTSC Ex. 1 at 2–3.)

location in the event that Ms. Matney's counsel wished to meet and discuss how the deposition would proceed.

18. Ms. Matney's counsel did not appear at the noticed location on the morning of March 27, 2026, to discuss the matter. Nor did Ms. Matney appear at the noticed time and place on the subpoena.⁴ Instead, she and her counsel informed the Parker's Defendants via Zoom that she was located at the Bannon Law Firm in Bluffton and there she would remain, alongside her husband and also with Plaintiffs' counsel who joined Ms. Matney and her counsel at the Bannon Law Firm. Counsel for the Parker's Defendants informed Ms. Matney that they would remain at the noticed location until 11:00 a.m., and that if Ms. Matney did not appear, they would pursue all remedies available. Ms. Matney and her counsel, along with Plaintiffs' counsel, elected to remain at the other location and not appear at the noticed location.

19. At 3:00 p.m. on March 27, 2026, Ms. Matney filed a "Status Update on Emergency Motion to Set Deposition Location" wherein she relayed that she had "appeared at the deposition location [she] had arranged" with private security and waited until noon. Ms. Matney's social media posts from later that same day⁵ included pictures of her eating lemon pound cake with Plaintiffs' lead counsel (Mark Tinsley) after the attempted deposition was adjourned and toasting herself with a beverage at an outdoor location. She also posted pictures of herself, her counsel, and her husband having what appears to be a celebratory meal outing in Savannah. None of these pictures included an armed bodyguard. As the Court correctly found, these celebratory posts

⁴ Ms. Matney's social media posts prior to and on the date of the noticed deposition make clear her disdain for the Parker's Defendants and their counsel (and to some extent the Court), her intention to defy and to disrupt her deposition to the greatest extent possible—and those posts are collectively attached as Exhibit 1 with a notation as to the date of the post.

⁵ These social media posts were, of course, absent from Ms. Matney's Status Update but were attached as exhibits to filings submitted by the Parker's Defendants.

(among others) evidenced Ms. Matney's intent to willfully defy her lawful obligation to appear at the noticed deposition location.

20. In a Form 4 Order filed on March 30, 2026, the Court denied Ms. Matney's "Emergency" Motion, explaining that emergency motions are "generally disfavored" and that emergency relief is not to be provided to the dilatory.⁶ The Court noted that "[t]he parties have had *nearly five months* since the first notice of this deposition to agree on a location, and Ms. Matney sought to raise this issue *less than one week* prior to the scheduled deposition."

C. The Rule to Show Cause and Contempt Proceedings

21. On March 30, 2026, the Parker's Defendants filed the instant Motion for a Rule to Show Cause ("RTSC") seeking to hold Ms. Matney in contempt and compel her attendance at an in-person, videotaped deposition.

22. On April 4, 2026, Ms. Matney filed a response opposing the Motion, and an affidavit from her podcast co-host Ms. Farrell on April 6, 2026.

23. On April 7, 2026, the Court conducted a hearing at which testimony was taken, including testimony from Ms. Matney.⁷ Neither of Ms. Matney's lawyers objected to the Parker's Defendants calling Ms. Matney as a witness, nor did they request that the Court advise Ms. Matney of her Fifth Amendment rights—and Rebecca "Becky" Lindahl ("Ms. Lindahl") questioned Ms. Matney extensively and, in so doing, appeared to use a prepared outline for her examination preserved on an iPad.⁸ Among other testimony, Ms. Matney testified that she made the decision

⁶ The Order was not docketed until March 30, 2026.

⁷ Mark Tinsley (Plaintiffs' lead counsel and Ms. Farrell's lawyer at her deposition) also testified as a witness called by Ms. Matney.

⁸ As described in detail later, Ms. Matney was represented at the hearing by two lawyers who, between them, have experience in handling complex civil and criminal matters. As noted herein, her counsel's failure to raise any issues concerning Ms. Matney's testimony prior to that testimony

not to go to the noticed deposition location and that she was not physically unable to appear there. The Court directed that Ms. Matney appear the following day for an in-person deposition at the Spartanburg County Courthouse and further ruled that her husband, Mr. Moses, would not be allowed to attend her deposition.

24. On April 8, 2026, Ms. Matney sat for an in-person, videotaped deposition at the Spartanburg County Courthouse, as directed by the Court.

25. On April 30, 2026, the Court granted the Parker's Defendants Motion for a Rule to Show Cause and ordered Ms. Matney to appear on May 15, 2026, to show cause, if she could, as to why she should not be held in contempt for willfully failing to comply with a duly issued subpoena requiring her to appear for a deposition on March 27, 2026, at the noticed location, and the March 16, 2026 Order of the Court.

26. On May 13, 2026, Ms. Matney filed an Objection to Non-sworn Contempt Motion, in which she objected to the contempt motion "being heard at all" on May 15th, arguing that the Parker's Defendants' contempt petition was not verified or accompanied by an affidavit, which she contended to be a fatal defect that could not be cured. The Parker's Defendants responded, citing *State v. Nathans*, 49 S.C. 199, 27 S.E. 52, 57 (1897), for the proposition that the affidavit requirement can be waived or met through substantial compliance. At the end of the hearing on June 22, 2026, the Court ruled from the bench that it had issued the RTSC based on Ms. Matney's sworn testimony at the April 7, 2026 hearing, where she acknowledged that she did not attend the deposition at the noticed location. As the court held in *Nathans*, there was no risk of any false allegations of conduct being used to support the issuance of an RTSC. Additionally, Ms. Matney

on April 7, 2026, waives any arguments that Ms. Matney now lodges with respect to the voluntariness or appropriateness of that testimony.

waived this issue as she failed to raise it during the April 7th hearing during which the Court noted that the hearing was to determine if an RTSC should issue.

27. A hearing was held on May 15, 2026, and continued on June 22, 2026, during which Ms. Matney presented evidence and witnesses,⁹ and the Court took the matter under advisement and requested proposed orders from both the Parker's Defendants and Ms. Matney.

28. Ms. Matney submitted a proposed order on June 26, 2026, and the Parker's Defendants submitted their proposed order on July 1, 2026. (Motion, Ex. A at 6–7.)

29. On July 2, 2026, the Court's law clerk e-mailed counsel for all parties to request the Parker's Defendants to "provide an affidavit of attorney fees and costs related to the missed deposition." (Motion, Ex. A at 5–6.)

30. On July 9, 2026, the Court's law clerk e-mailed all parties to request that the Parker's Defendants "provide, under seal, itemized bill statements related to Mrs. Matney's deposition, the Rule to Show Cause hearing, and the May 15 and June 22 contempt proceedings." (Motion, Ex. A at 3–4.)

31. In response, the Parker's Defendants requested further clarity on the specific instructions on submitting under seal, i.e. whether to submit the bill statements to the law clerk

⁹ The May 15, 2026, hearing was primarily consumed by legal arguments and over three hours of direct testimony from Ms. Matney presented by Ms. Bannon. Ms. Matney was cross-examined at the June 22, 2026, hearing and thereafter offered the testimony of her co-podcaster (and now lawyer) Mr. Bland in an attempt to support her flawed legal positions. Among other things, Mr. Bland acknowledged that he was paid by LunaShark Media to serve as a co-host of their "Cup of Justice" ("COJ") podcast. As detailed herein, Mr. Bland has frequently joined with Ms. Mantey and Ms. Farrell during those podcasts and otherwise in making negative comments about the Parker's Defendants during the pendency of this litigation. And while Mr. Bland has apparently stepped away from his role as a co-host of COJ, Mr. Bland, on August 15, 2026, made a negative social media post about the Parker's Defendants and their counsel (while simultaneously indicating his continued support for Mr. Tinsley and Plaintiffs) on his own Facebook page, as depicted more fully herein.

and only to the law clerk, to which the law clerk responded in the affirmative. (Motion, Ex. at 2–3.)

32. In light of this instruction on what fees to submit, the Parker’s Defendants did two things on July 9, 2026. *First*, the Parker’s Defendants submitted updated affidavits related to the categories of fees the Court identified earlier that day, *which were e-mailed to counsel for all parties and the Court*. (Motion, Ex. A at 1–2.) *Second*, the Parker’s Defendants submitted the requested itemized bill statements solely to the Court’s law clerk.

33. The same day, Ms. Matney’s counsel e-mailed she was “renew[ing] our request to see the itemized fees and for an opportunity to be heard on the reasonableness of the requested fees.” (Motion, Ex. A at 1.)

34. Ms. Matney’s counsel did not provide any further information as to how this request should be considered “renew[ed],” nor did Ms. Matney file any written motion requesting relief on this ground.

35. On July 13, 2026, the Court issued two orders: (1) an Order Granting Parker’s Defendants’ Motion for Contempt (the “Order”); and (2) a Confidentiality Order regarding the attorney fee affidavits and attorney fee itemized billing statements produced relative to the Order (the “Confidentiality Order”).

36. On August 2, 2026, Ms. Matney filed the instant Motion.

D. Ms. Matney’s Public Fundraising Following the Order of Contempt and Her and Her Counsel’s Commentary

37. On or about July 14, 2026, following the Court’s two aforementioned orders, Ms. Matney posted the following, calling the South Carolina justice system, in capitalized lettering, “CORRUPT,” and stating the decision is “entirely unjust and unprecedented”:



38. The next day, in another post characterizing the Order as “unprecedented,” Ms. Matney began publicly fundraising, using the Order holding her in contempt in an apparent effort to outsource the compensatory relief she—and not her supporters—has been ordered to pay for contemptuous conduct she—and not her supporters—committed.

Mandy Matney - Journalist   July 15 · 

I hate asking for money because my supporters have already done so much for me, but the corrupt SC legal system has left me no choice right now.

Judge R Keith Kelly issued an unprecedented financial penalty against me — \$176,000 — all for asking the court to be deposed in a safe place.

I believe this ruling is retaliatory for using my first amendment rights to speak out against this corrupt justice system and all the Good Ole Boys I have called out since I started the Murdaugh Murders Podcast.

Please help us fight this by contributing or sharing. Every single bit counts and sends a strong message 🙏🔥🔥🔥

Thank you ❤️❤️

<https://www.gofundme.com/.../help-journalist-mandy-matney...>

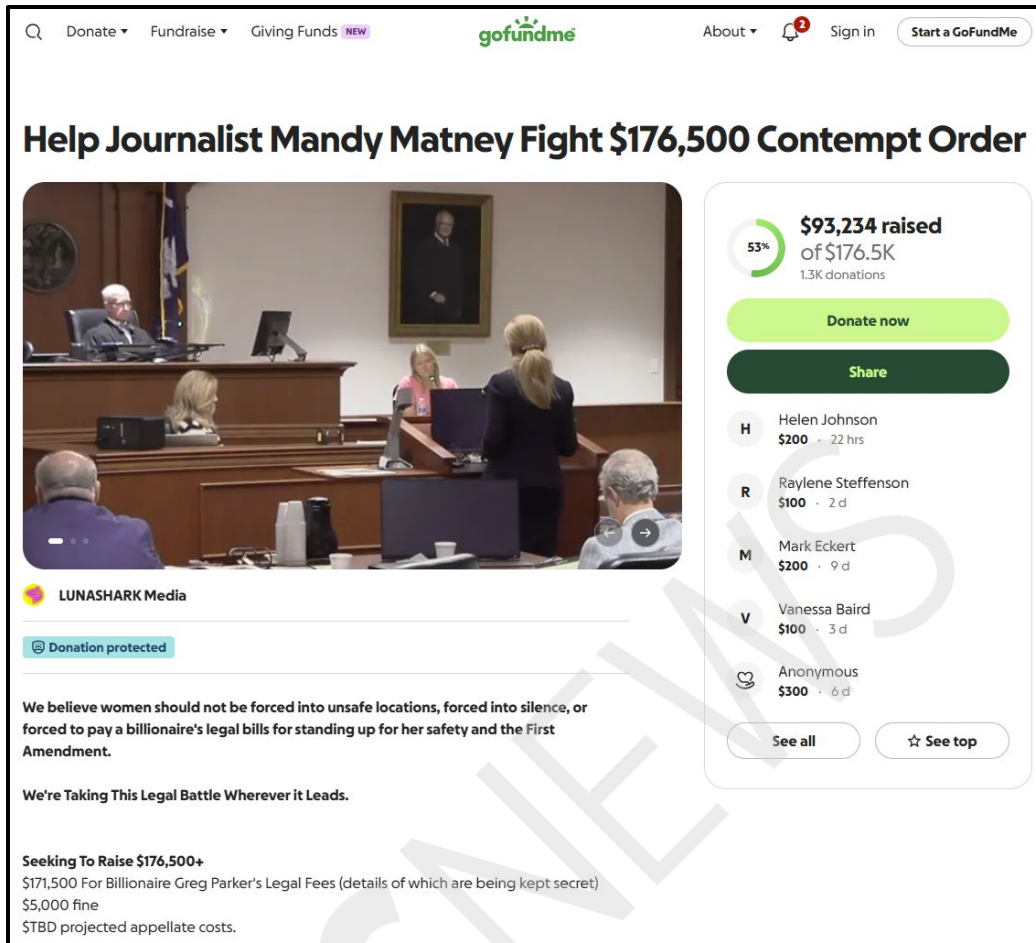
(Edit: there was an extra letter in the URL link 😬) See less



GOFUNDME.COM

Donate to Help Journalist Mandy Matney Fight \$176,500 Contempt Order, organized by LUNASHARK Media

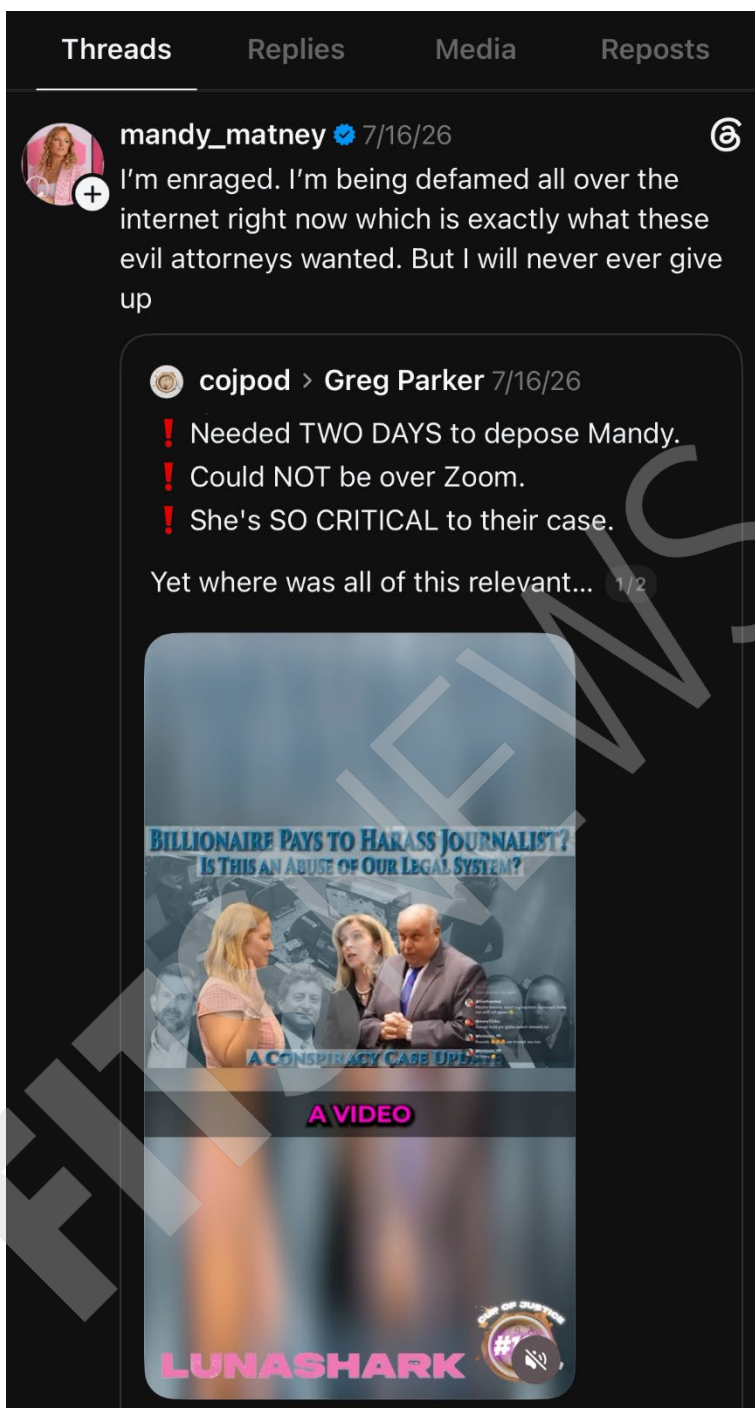
39. As of August 16, 2026, Ms. Matney has raised over ninety-three thousand dollars (\$93,000), which represents over half of the total sanctions award:



40. A full copy of the GoFundMe website is attached hereto as Exhibit 2.

41. Ms. Matney's inflammatory posts have continued ever since, demonstrating her disrespect for the rule of law and use of her donating supporters as a shield from the full weight of compensatory relief she has been ordered to provide to the Parker's Defendants.

42. On the social platform Threads, Ms. Matney posted on July 16, 2026, calling the Parker's Defendants' attorneys "evil":



43. On August 6, 2026, Ms. Matney characterized what happened to her as “insane” and averred “South Carolina is a lawless land”:

Threads

Replies

Media

Reposts



mandy_matney > South Carolina



8/6/26

It's all very insane what happened to me this year.

It could have been worse. I'm grateful they didn't send me to jail.

South Carolina is a lawless land. It's terrifying.

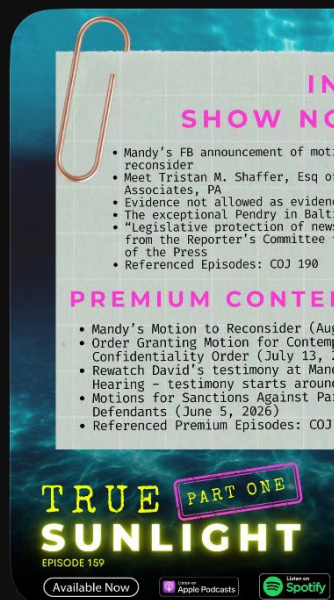


truesunlightpod 8/6/26



A motion challenging Mandy Matney's unprecedented, and possibly unconstitutional, \$176,500 civil contempt sanction has been filed by her attorneys...

1/2



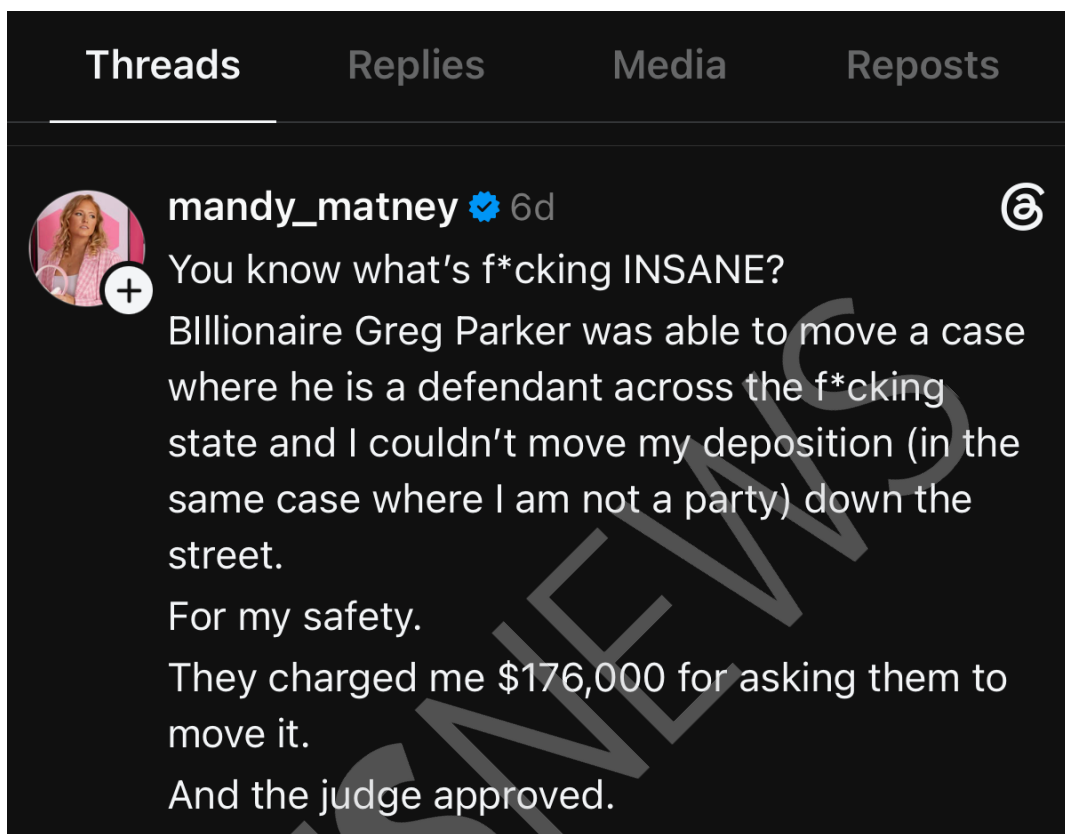
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5

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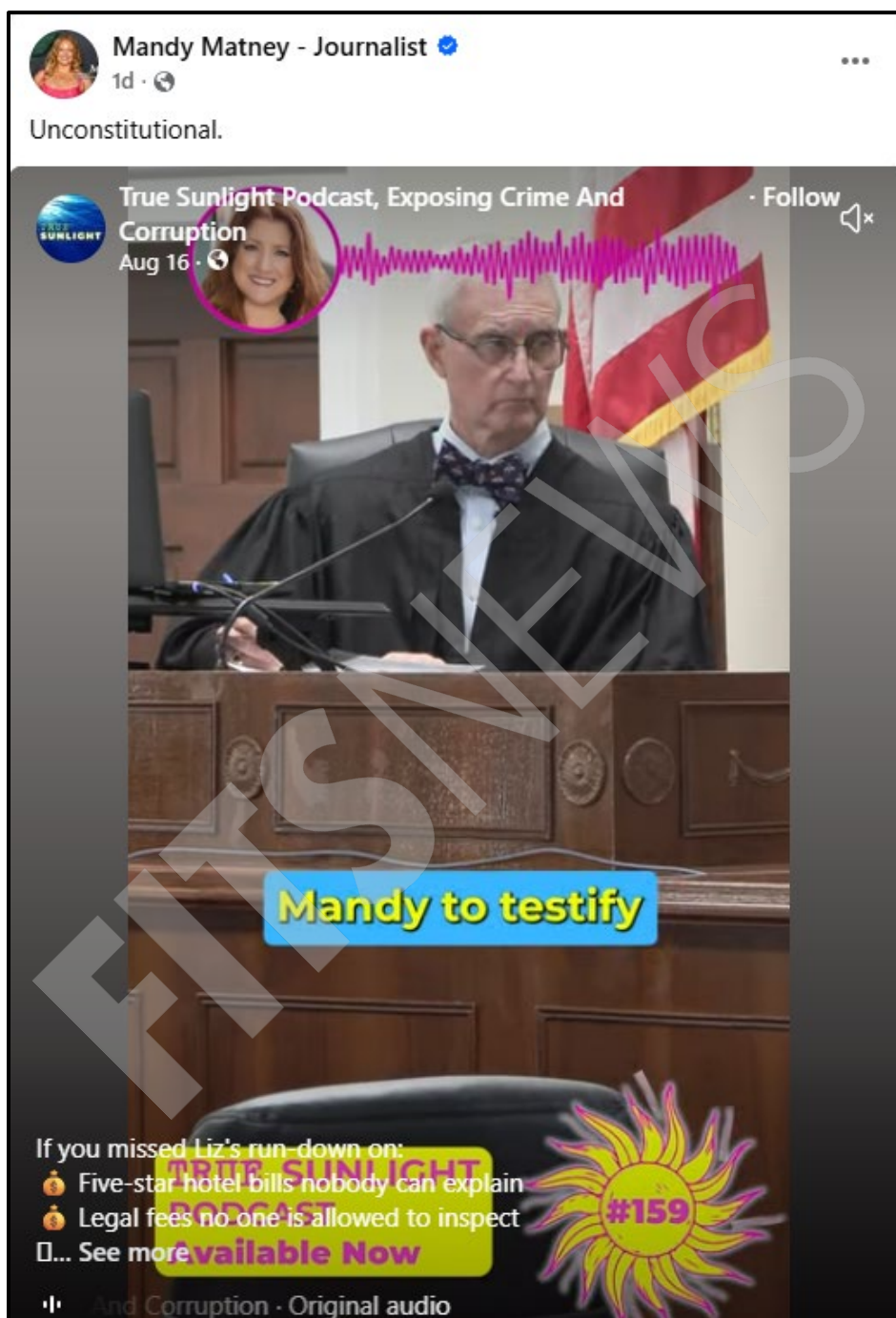
44. And on or about August 10, 2026, in an expletive-laden post on Threads, Ms. Matney asserted the Court's rulings are "f*cking INSANE":



45. Her recent Threads post from July 30, 2026, appears to be directed at the Parker's Defendants, certain of their counsel, and to the Court itself (and "all men") who might dare to question the sincerity of her disingenuous reliance on "security concerns" as a reason to disobey a lawfully issued subpoena:



46. Ms. Matney's rhetoric has continued to escalate. As of yesterday, August 17, 2026, Ms. Matney used one word to characterize the Court and Judge Kelly: "Unconstitutional."



47. Ms. Matney and her supportive witness, former co-podcaster, and now-lawyer, Eric Bland ("Mr. Bland") have made a number of comments during podcasts that support a finding of

willfulness on Ms. Matney's part—and there are too many of those to summarize here. However, we add one example which is tellingly absent from Ms. Matney's Motion. On the July 14, 2026, episode of Ms. Matney's "Cup of Justice" ("COJ") podcast, Mr. Bland stated the following about the Court's Order:

[A]s a lawyer, I understand the rule of law. I believe in court orders, and I understand that court orders are the linchpin to our just - - justice system, and that they have to be followed. But there has to be some temperance to circumstances, to good faith. Was willfulness really present? I - - I don't necessarily have a problem with a finding of contempt because I've seen it happen, but the amount of attorneys' fees that have been assessed in - - against a non-party is the most extraordinary thing I've ever seen in 38 years. . . . [N]othing close to this magnitude. And I just uh - - I'm speechless.

COJ #187 – Journalist Mandy Matney Ordered to Pay \$176,500 from Contempt Ruling Tied to Greg Parker's Legal Defense (Jul. 14, 2026), *available at* <https://podcasts.apple.com/us/podcast/coj-187-journalist-mandy-matney-ordered-to-pay-%24176/id1668668400?i=1000776744092> (approximately the 55-second mark).

48. Mr. Bland went further: "I knew - - I knew you would be held in contempt. I did not expect the magnitude of these fees . . . because it is so extraordinary to do this against a non-party." *Id.* (approximately the 9-minute, 15-second mark). Similarly, Mr. Bland acknowledged: "You know - - honest people can differ on opinion on whether you should have been or whether there - - you violated a court order, did it willfully. I can see it from your standpoint. I definitely can see it from the judge's standpoint. As - - as a lawyer, I can see it. Even if I was on Debbie Barbier's side, I would see [sic] you violated a subpoena and can argue that. But for the life of me, I never forecasted that it would be anything near this amount." *Id.* (approximately the 19-minute mark).

49. It should be noted that the fact that he has now made an appearance in this matter as a lawyer has not stopped Mr. Bland from attacking the Parker's Defendants and their counsel

on social media.

50. On August 15, 2026, Mr. Bland posted the following on Facebook:



10

¹⁰ Mr. Bland has made other uncivil comments before about the Parker's Defendants' counsel across multiple podcasts, including: *(footnote continues on following page)*

LEGAL STANDARDS

A. Reconsideration

Like Ms. Matney’s previous motion to reconsider, filed on February 17, 2026, this Motion is completely devoid of any argument identifying or engaging with the legal standard this Court must apply in ruling upon a motion under Rule 59(e) of the South Carolina Rules of Civil Procedure—much less meeting her heavy burden of persuasion in that regard. The South Carolina Supreme Court has recognized “two basic situations in which a party should consider filing a Rule 59(e) motion.” *Elam v. S.C. Dep’t of Transp.*, 361 S.C. 9, 24, 602 S.E.2d 772, 780 (2004). Under the rule, “[a] party *may* wish to file such a motion when she believes the court has misunderstood, failed to fully consider, or perhaps failed to rule on an argument or issue, and the party wishes for the court to reconsider or rule on it.” *Id.* (emphasis in original). And “[a] party *must* file such a motion when an issue or argument has been raised, but not ruled on, in order to preserve it for appellate review.” *Id.* (emphasis in original).

Additionally, it is well-settled that “[a]n issue may not be raised for the first time in a

It’s [the South Carolina judicial system] not corrupt all the way through. It’s corrupt in - - in pockets, and you guys are addressing that. It’s not all the way through. Unfortunately, you became a victim of - - of outta-control lawyers on the other side.

COJ 188 - A Farewell to Eric Bland, But Cup’s Up To A New Era... (Jul. 21, 2026), *available at* <https://podcasts.apple.com/us/podcast/coj-188-a-farewell-to-eric-bland-but-cups-up-to-a-new-era/id1668668400?i=1000777701145> (approximately 26-minute, 9-second mark). Mr. Bland has also characterized the Parker’s Defendants’ counsel as bullies. *See* COJ #186 – Contempt, Proposed Orders, So Many Motions, and the Fight That Appears to Never End (Jul. 7, 2026), *available at* <https://podcasts.apple.com/us/podcast/coj-186-contempt-proposed-orders-so-many-motions-and/id1668668400?i=1000775779152> (approximately the 18-minute mark). In another podcast, Ms. Matney boasted about calling the Parker’s Defendants’ counsel “stupid bitches,” stating, “and you know what? Some people need to be called stupid bitches,” to which Mr. Bland jokingly responded, “that’s a cold slap!” *See* COJ #170 – Beach v. Parker: Journalists Caught In Crossfire Expose Legal Circus + Where Is Alex Murdaugh’s Bestie? (Mar. 3, 2026), *available at* <https://podcasts.apple.com/us/podcast/coj-170-beach-v-parker-journalists-caught-in-crossfire/id1668668400?i=1000752857651> (approximately 3-minute, 39-second mark).

motion to reconsider.” *Repko v. Cnty. of Georgetown*, 424 S.C. 494, 502, 818 S.E.2d 743, 748 (2018) (quoting *Johnson v. Sonoco Prods. Co.*, 381 S.C. 172, 177, 672 S.E.2d 567, 570 (2009)); *Anderson Mem’l Hosp., Inc. v. Hagen*, 313 S.C. 497, 498, 443 S.E.2d 399, 400 (Ct. App. 1994) (“A party cannot use a motion to reconsider to present an issue he could have raised prior to judgment but did not.”); *Poch v. Bayshore Concrete Prods./S.C., Inc.*, 386 S.C. 13, 31, 686 S.E.2d 689, 699 (Ct. App. 2009) (“A party cannot use a motion to reconsider, alter or amend a judgment to present an issue that could have been raised prior to the judgment but was not.”), *aff’d as modified*, 405 S.C. 359, 747 S.E.2d 757 (2013).

B. Contempt

“The power to punish for contempt[] is inherent in all courts.” *Miller v. Miller*, 375 S.C. 443, 453, 652 S.E.2d 754, 759 (Ct. App. 2007) (quoting *In re Terry*, 128 U.S. 289, 303 (1888)). The trial court’s power includes the ability to maintain order and decorum of the court. The power “is essential to . . . the enforcement of the judgments, orders and writs of the courts; and consequently to the due administration of justice.” *Id.* (quoting *In re Terry*, 128 U.S. at 303). “Without such power . . . the administration of the law would be in continual danger of being thwarted by the lawless.” *Id.* at 453–54, 652 S.E.2d at 759 (citing *In re Terry*, 128 U.S. at 303).

“Contempt results from the willful disobedience of an order of the court.” *Bigham v. Bigham*, 264 S.C. 101, 104, 212 S.E.2d 594, 596 (1975). “A willful act is one which is ‘done voluntarily and intentionally with the specific intent to do something the law forbids, or with the specific intent to fail to do something the law requires to be done’” *Miller*, 375 S.C. at 454, 652 S.E.2d at 759–60 (quoting *Widman v. Widman*, 348 S.C. 97, 119, 557 S.E.2d 693, 705 (Ct. App. 2001)). “Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued.” Rule 45(e),

SCRCP.

“Civil contempt must be proven by clear and convincing evidence.” *Poston v. Poston*, 331 S.C. 106, 113, 502 S.E.2d 86, 89 (1998). “Once the moving party has made out a prima facie case, the burden then shifts to the respondent to establish his or her defense and inability to comply with the order.” *Widman*, 348 S.C. at 120, 557 S.E.2d at 705. “The determination of contempt ordinarily rests within the sound discretion of the [circuit court].” *Ex parte Kent*, 379 S.C. 633, 637, 666 S.E.2d 921, 923 (Ct. App. 2008).

“Courts, by exercising their contempt power, can award attorney’s fees under a compensatory contempt theory.” *Miller*, 375 S.C. at 463, 652 S.E.2d at 764.

In a civil contempt proceeding, a contemnor may be required to reimburse a complainant for the costs he incurred in enforcing the court’s prior order, including reasonable attorney’s fees. The award of attorney’s fees is not a punishment but an indemnification to the party who instituted the contempt proceeding. Thus, the court is not required to provide the contemnor with an opportunity to purge himself of these attorney’s fees in order to hold him in civil contempt.

Matter of Est. of Combis, 439 S.C. 485, 497, 888 S.E.2d 1, 7 (Ct. App. 2023) (quoting *Poston*, 331 S.C. at 114, 502 S.E.2d at 90).

ARGUMENT

I. Ms. Matney Had a Full Opportunity to Challenge the Reasonableness of Attorneys’ Fees and Costs and Failed to Do So.

Ms. Matney complains she “was never allowed to see” the fee affidavits and billing statements the Parker’s Defendants submitted. (Motion at 3.) Regarding the fee affidavits, the very exhibit Ms. Matney attaches to her Motion illustrates her counsel received the fee affidavits. (Motion, Ex. A at 1–2 (showing an e-mail of July 9, 2026 at 4:19 PM, on which Ms. Matney’s counsel were copied, that stated fee affidavits were attached).) Similarly, without any basis, Ms. Matney complains she “could not check the hourly rates” nor “the hours.” (Motion at 3.) Yet again,

the fee affidavits all provided those hourly rates and hours expended.¹¹ Thus, as to Ms. Matney's request that her counsel be given full access to the fee affidavits, such relief is moot, as her counsel is already in possession of those fee affidavits.

As to the billing statements, on the same day the Court issued its Order finding Ms. Matney in contempt, the Court issued a Confidentiality Order providing that Ms. Matney and her counsel "may be allowed to review documents which have been designated CONFIDENTIAL pursuant to [the Confidentiality] Order." (Confidentiality Order at 1, 3.) Ms. Matney and her counsel have essentially ignored this Order. Ms. Matney and her counsel have yet to make *any* request of the Parker's Defendants (through a motion, consultation with counsel, or otherwise) for access to billing records in the over thirty-five (35) days that have elapsed following the entry of the Confidentiality Order—and a motion to reconsider is not the proper vehicle by which to obtain such records. Ms. Matney could have immediately sought such access (by motion or agreement) following the issuance of the Confidentiality Order and perhaps used that access to support a motion to reconsider. Yet she has not, as she and her counsel would rather rail about the injustice of it all on social media and otherwise, instead of seeking access to the material under the procedures established by and appropriate for this Court. As such, Ms. Matney can be said to have waived any right to that access at this stage. And if she belatedly seeks access hereafter, the Parker's Defendants stand ready to produce records subject to the approval of the Court and subject to Ms. Matney's agreement that: (1) she is subject to the terms of the Court's Confidentiality Order; (2) she will strictly abide by the terms of the that Order; and (3) she understands the potential consequences of violating that Order.

¹¹ The affidavit executed by Mr. Bannister did not provide the number of hours expended, but that could be easily calculated based off dividing the total amount of fees identified in his affidavit by the hourly rate he provided in his affidavit.

Ultimately, Ms. Matney seeks reconsideration of the reasonableness of the attorneys' fees, which she never formally challenged in the first place. Again, no request was ever made on the record by Ms. Matney's counsel that she be given full access to the billing statements or even to be heard on the reasonableness of the fees and costs. At best, Ms. Matney's counsel sent an e-mail on July 9, 2026, at 4:22 PM, which asked for an opportunity to be heard on the reasonableness of the fees. (Motion, Ex. A at 1.) However, Rule 7 of the South Carolina Rules of Civil Procedure requires a written motion to be filed if relief is sought from the Court. *See* Rule 7(b)(1), SCRCPP ("An application to the court for an order *shall be by motion which*, unless made during a hearing or trial in open court with a court reporter present,¹² *shall be made in writing*, shall state with particularity the grounds therefor, and shall set forth the relief or order sought." (emphasis added)). Ms. Matney never challenged the reasonableness of the attorneys' fees on the basis of lacking billing records in the first instance; indeed, Ms. Matney never challenged the reasonableness of the attorneys' fees at all. Therefore, a motion for reconsideration for such a request should be denied, because "[a]n issue may not be raised for the first time in a motion to reconsider." *Repko*, 424 S.C. at 502, 818 S.E.2d at 748 (quoting *Johnson*, 381 S.C. at 177, 672 S.E.2d at 570); *see also Anderson Mem'l Hosp.*, 313 S.C. at 498, 443 S.E.2d at 400 ("A party cannot use a motion to reconsider to present an issue he could have raised prior to judgment but did not."); *Poch*, 386 S.C. at 31, 686 S.E.2d at 699 ("A party cannot use a motion to reconsider, alter or amend a judgment to present an issue that could have been raised prior to the judgment but was not.").

¹² A review of the transcripts of the May 15, 2026, and June 22, 2026, hearings does not reveal any oral motion by Ms. Matney's counsel challenging the reasonableness of the fees at issue, which, of course, had not yet been requested by the Court nor provided to the Court.

II. Ms. Matney's Flawed Arguments that Any Portion of her Contempt Citation is Criminal in Nature Fail.

Ms. Matney argues the Court conflated its civil and criminal contempt powers. (Motion at 6–8.) Section 14-5-320 of the South Carolina Code sets forth that a “circuit court may punish by fine or imprisonment, at the discretion of the court, all contempts of authority in any cause or hearing before the same.” Thus, both a fine and imprisonment can be ordered for either civil or criminal contempt. The case of *Poston v. Poston*, 331 S.C. 106, 111, 502 S.E.2d 86, 88 (1998)—a case cited and heavily relied upon by Ms. Matney—supports this proposition. The *Poston* Court held a contemnor may be sanctioned with imprisonment and such a sanction is civil as long as the imprisonment is conditioned upon compliance with a prior court order. *Id.* at 112–17, 502 S.E.2d 86, 89–92 (noting imprisonment would, in the alternative, be considered a criminal sanction if it is set for a definite period).

Here, Ms. Matney attempts to isolate and characterize a five thousand dollar (\$5,000) fine paid to the Court as an unconditional penalty for contempt and therefore criminal in nature, without considering the entire sanction framework, the vast majority of which is directed at reimbursement and indemnification of the Parker's Defendants for fees and costs incurred due to Ms. Matney's contempt. Like her other arguments, Ms. Matney's arguments here fail.

There can be no question the Court's sanction framework is entirely civil in nature, as the fine is designed to reimburse the Court for a small fraction of the costs, court reporting fees, transcript costs, security, personnel, and all of the expenses associated with the court proceedings that have been necessitated by Ms. Matney's willful defiance of the deposition subpoena and the Court's orders regarding same—and the Court can so state in an Order denying the instant Motion. Ms. Matney's arguments under the Eighth Amendment and South Carolina Constitution for an allegedly excessive sanction and the Fifth Amendment for allegedly compelled testimony are

addressed separately below.

III. The Compensatory Sanction Does Not Violate Any Excessive Fines Clause.

Ms. Matney avers the total monetary sanction violates the excessive fines clauses of the Eighth Amendment to the United States Constitution and Article I, Section 15 of the South Carolina Constitution. (Motion at 9.) It is indisputable the sanctions framework is purely compensatory in nature—it reimburses the Parker’s Defendants for costs they actually incurred as a direct result of Ms. Matney’s willful contempt. Compensatory sanctions are not “fines” subject to the Excessive Fines Clause. As the United States Supreme Court has explained, “[t]he [Excessive Fines] Clause prohibits only the imposition of ‘excessive’ fines, and a fine that serves purely remedial purposes cannot be considered ‘excessive’ in any event.” *Austin v. United States*, 509 U.S. 602, 622 n.14 (1993). South Carolina courts similarly focus on the punitive nature of an action to determine whether it violates Article I, Section 15 of the South Carolina Constitution. *See, e.g., State ex rel. Wilson v. Ortho-McNeil-Janssen Pharms., Inc.*, 414 S.C. 33, 88, 777 S.E.2d 176, 205 (2015) (analyzing whether a penalty order was “designed to punish”). Thus, a sanction that is designed solely to serve a remedial purpose is not subject to the Eighth Amendment’s Excessive Fines Clause or Article I, Section 15 of the South Carolina Constitution. This analysis is further supported by the *Poston* case which Ms. Matney herself references. The Supreme Court of South Carolina held in *Poston*: “The award of attorney’s fees is **not a punishment** but an indemnification to the party who instituted the contempt proceeding.” *Poston*, 331 S.C. at 114, 502 S.E.2d at 90 (“[T]he award of attorney’s fees is **not** part of the punishment; instead, this award is made to indemnify the party for expenses incurred in seeking enforcement of the court’s order.” (emphasis added)). Here, the award merely reimburses the Parker’s Defendants for Ms. Matney’s contempt, such that it is remedial, not punitive, and falls outside the Excessive Fines Clauses’ reaches entirely.

The proportionality analysis Ms. Matney advances not only ignores *Poston*'s categorical placement of attorneys' fees squarely within the scope of proper civil sanctions, but it also ignores the full scope of harm caused by her conduct. Her willful refusal to appear precipitated months of additional litigation involving three law firms, multiple hearings, extensive briefing, and the need to compel basic compliance with a lawful subpoena. The fee award already reflects a 44.7% reduction from the \$310,533.39 originally requested—demonstrating that the Court carefully evaluated reasonableness and exercised restraint. Moreover, Ms. Matney's comparison of the fee award to statutory maximums for criminal offenses is wholly inapposite. It inappropriately conflates the separate and distinct principles of retribution and restitution. As to the former, criminal fines are penalties imposed by the State for violations of criminal law. As to the latter, compensatory contempt fees are court-ordered reimbursement to the prevailing party for costs caused by contumacious conduct. The two serve entirely different purposes and are governed by different legal frameworks. One might as well compare a jury verdict in a personal injury case to a criminal fine—the comparison illuminates nothing. Based on the foregoing, Ms. Matney's arguments under the Excessive Fines Clause are meritless and do not warrant reconsideration.

IV. Ms. Matney's Fifth Amendment Claim Fails Because Her Testimony Was Voluntary and Given with the Assistance of Experienced Counsel.

Grasping at straws, Ms. Matney also alleges the Court's Order violates her Fifth Amendment right against self-incrimination. (Motion at 13.) However, South Carolina imposes no affirmative duty on a trial court to obtain a formal, on-the-record waiver before a party testifies. *See, e.g., Brown v. State*, 340 S.C. 590, 595, 533 S.E.2d 308, 310 (2000) (“[W]e decline to require an on-the-record waiver of a defendant's right against compelled testimony . . .”). Further, case law demonstrates the burden of ensuring a party is aware of their Fifth Amendment rights before testifying falls squarely on that party's counsel. *See id.* And once a waiver of a Fifth Amendment

right occurs, a party “cannot [later] assert that those rights were violated.” *State v. Bing*, 272 S.C. 544, 545, 253 S.E.2d 101, 102 (1979). Here, it is indisputable Ms. Matney waived any Fifth Amendment right.

At the April 7, 2026, hearing, Ms. Matney was represented by competent counsel—Ms. Bannon and Ms. Lindahl. Ms. Bannon and her husband are both former Assistant Solicitors in the Fourteenth Judicial Circuit, and their website indicates that criminal defense is among their areas of practice. Ms. Lindahl is partner in Katten Muchin Rosenman LLP’s Charlotte, North Carolina office; the Katten firm is an international law firm with over six hundred (600) lawyers. Ms. Lindahl currently serves as the Chair of Katten’s Commercial Litigation practice and a Deputy General Counsel of the firm—and Ms. Lindahl’s husband is currently employed as an Assistant United States Attorney in the Western District of North Carolina.

Neither of Ms. Matney’s lawyers objected to the Parker’s Defendants calling Ms. Matney as a witness, nor did they request that the Court advise Ms. Matney of her Fifth Amendment rights or request any sort of guidance from the Court as to whether the issuance of a rule to show cause could lead to potential criminal sanctions. There was no need or compelling reason for the Court to advise Ms. Matney of her Fifth Amendment rights at that stage—particularly in the absence of such a request from her seasoned counsel. And there were no indications her counsel were surprised by the fact that Ms. Matney was called as a witness—nor should they have been. Ms. Lindahl questioned Ms. Matney extensively and, in so doing, appeared to use a prepared outline for her examination preserved on an iPad. Ms. Bannon and Ms. Lindahl’s failure to raise *any* issues concerning Ms. Matney’s testimony prior to that testimony on April 7, 2026, waives this newly raised argument as to the voluntariness or appropriateness of that testimony—and that newly minted argument likewise fails on its merits.

V. Ms. Matney Cannot Claim Error Based on an Ability-to-Pay Inquiry She Opposed and for Which No Legal Authority Exists.

Ms. Matney avers the Court erred by not conducting an ability-to-pay inquiry. (Motion at 14.) However, Ms. Matney fails to mention her counsel objected to all questions related to the ability-to-pay inquiry, ultimately resulting in a sidebar that her counsel requested in order to prevent such an inquiry. (Ex. 1, June 22, 2026, Hearing Tr. 132:1–135:17.) Ms. Matney’s counsel also admit they have “not been able to locate any South Carolina case law that specifically states that the ability to pay is a required part of the analysis” (Motion at 15.) In fairness, it does not appear that there is any case law in South Carolina that discusses the ability-to-pay inquiry being a part of a sanction analysis for contempt. Thus, Ms. Matney has no authority supporting her claim that she is entitled to an ability-to-pay hearing. Yet Ms. Matney now desires an ability-to-pay hearing, despite objecting to it previously and despite having no case law in support of such a hearing. Reconsideration is not justified on this basis.

It also bears noting Ms. Matney has filed a separate motion to post the sanctioned amount with the clerk of court, *which shows she has the ability to pay*. If Ms. Matney can post such funds, the claim she deserves an opportunity to have an ability-to-pay inquiry rings hollow. In any event, a full-blown hearing on this issue is not required; the Parker’s Defendants do not object to the Court allowing Ms. Matney to submit any documentary evidence regarding her ability to pay and propose the Court allow her five (5) days to do so if the Court is so inclined.

VI. The Court’s Consideration of Ms. Matney’s Statements as Evidence of Contemptuous Intent Does Not Implicate the First Amendment.

Ms. Matney next alleges error by the Court using her First Amendment right to free speech and her “commentary” as “evidence of contemptuous intent,” which she inflammatorily describes as a “content-based penalty on speech.” (Motion at 19.) This argument is wholly without merit.

Courts routinely and properly consider a party's own statements as evidence of intent, motive, and credibility. This is a bedrock evidentiary principle that does not implicate the First Amendment. A party's public declaration that she "would rather go to jail" than comply with a subpoena, her characterization of a court order as "bullsh**," and her celebratory posts after refusing to appear are directly relevant to the question of willfulness. Using such statements to assess credibility and intent is not punishment for speech—it is the normal operation of evidentiary rules that apply in every courtroom. And that is exactly what the Court did in this case. It considered Ms. Matney's speech merely as evidence of her intent and willfulness to commit contemptuous conduct. In fact, Ms. Matney herself recognizes that is what the Court did when she complains the Court erred by "judg[ing] her credibility and intent" based on her speech. (Motion at 17.)

The weight of authority is completely against Ms. Matney's position. The South Carolina Supreme Court has held: "[T]he First Amendment does not prohibit the evidentiary use of speech . . . to prove motive or intent." *State v. Gaines*, 380 S.C. 23, 28 n.1, 667 S.E.2d 728, 731 n.1 (2008). This holding is further supported by the Supreme Court of the United States: "The First Amendment [] does not prohibit the evidentiary use of speech . . . to prove motive or intent." *Wisconsin v. Mitchell*, 508 U.S. 476, 489 (1993).

This frivolous argument should be summarily rejected.¹³

VII. Ms. Matney Received More-than-Adequate Due Process.

In a continuance of her inflammatory and exaggerated claims, Ms. Matney accuses the

¹³ As to Footnote 14 of the Order, referencing Chief Justice Kittredge's State of the Judiciary Address, this reference provides contextual observation and does not form the basis for the contempt finding. The Court's reference to broader concerns about misinformation does not transform a conduct-based contempt finding into a speech-based sanction.

Court of providing not even “skeletal” proceedings to protect her due process rights under the Fourteenth Amendment to the United States Constitution and Article I, Section 3 of the South Carolina Constitution. (Motion at 21.) However, due process generally requires notice and an opportunity to be heard. *See, e.g., Poston*, 331 S.C. at 116–17 , 502 S.E.2d at 91–92; *In re McIntosh*, 657 B.R. 279, 299 n.104 (Bankr. S.D. Fla. 2024) (finding due process requires “a show-cause order providing notice and a hearing in which the alleged contemnor, who may be represented by counsel, can introduce evidence rebutting the allegation of contempt and testify on its own behalf”).

Ms. Matney received due process far exceeding the constitutional minimum for civil contempt. The proceedings included:

- An April 7, 2026, Rule to Show Cause hearing for which Ms. Matney received due notice and at which Ms. Matney testified under oath, was represented by counsel, and presented evidence, including testimonial evidence from her witness, Mark Tinsley;
- An April 30, 2026, Rule to Show Cause Order, providing formal notice of the contempt charges;
- A May 15, 2026, hearing on contempt for which Ms. Matney received due notice and at which Ms. Matney testified for multiple hours on direct examination, was represented by counsel, and presented dozens of exhibits as documentary evidence;
- A June 22, 2026, continued hearing on contempt with cross-examination of Ms. Matney and examination of Ms. Matney’s witness and her now-attorney, Mr. Bland.

This multi-day process demonstrates that Ms. Matney received due notice at every step and had a full opportunity to present evidence, call witnesses, and make legal arguments at every stage. This vastly exceeds the “skeletal” protections that due process requires for civil contempt.

Regarding the verified petition issue raised by Ms. Matney, (Motion at 22), the Court properly addressed this issue at the June 22, 2026, hearing. The Rule to Show Cause issued based on Ms. Matney's own sworn testimony at the April 7, 2026, hearing, in which she admitted under oath that she did not appear at the noticed location and that she made the deliberate decision not to go. As the Court held, citing *State v. Nathans*, 49 S.C. 199, 27 S.E. 52, 57 (1897), the affidavit requirement can be satisfied through substantial compliance, and there was no risk of false allegations where the respondent herself provided the sworn basis for the rule. Regarding the billing records and ability-to-pay inquiry, and a request for more process on those points, (Motion at 22–24), there is no due process violation for the reasons addressed above.

Ultimately, Ms. Matney cannot claim a due process violation when she was afforded multiple hearings, representation by counsel, the opportunity to testify and present evidence, and the ability to call witnesses. The process afforded here was more than adequate under any applicable standard and her Motion should be denied.

VIII. But for Ms. Matney's Defiance of the Court's Order, None of the Compensated Fees Would Have Been Incurred.

Ms. Matney argues—without any persuasive authority in support—compensatory contempt fees cover only losses caused by her missed deposition rather than motions practice. (Motion at 24.) Specifically, she alleges compensatory contempt fees are meant to “repay the complainant for losses the contempt caused — nothing more.” (Motion at 24.) She is wrong.

What the *Poston* case she cites actually says is this: “In a civil contempt proceeding, a contemnor may be required to reimburse a complainant for the costs he incurred in enforcing the court's prior order, including reasonable attorney's fees.” *Poston*, 331 S.C. at 114, 502 S.E.2d at 90. In other words, other than moving as a matter of right to quash a subpoena, everything else that flows from Ms. Matney's defiance of the deposition subpoena duly issued to her is

compensable. After all, compensatory relief is to restore the aggrieved party to the position they would have occupied had the court order been obeyed in the first instance.

Despite claiming the Court billed Ms. Matney for litigation involving her Motion to Quash, (Motion at 25), the Court did not make such a finding. The Court expressly excluded fees for the initial Motion to Quash, because it found “was filed as a matter of right.” (Order at 18.) The Court correctly found the remaining efforts were compensable. The “but for” test is satisfied as to all fees included in the award. But for Ms. Matney’s willful refusal to comply with the subpoena following the denial of her Motion to Quash, none of the subsequent efforts—responding to her Motion to Reconsider, responding to her frivolous Emergency Motion, pursuing the Motion for Rule to Show Cause and contempt, preparing for and attending the April 7, May 15, and June 22 hearings—would have been necessary. Each dollar incurred was a direct consequence of her conscious decision to defy the subpoena and the Court’s order denying her Motion to Quash.

Ms. Matney also characterizes her sanction as falling under Rule 11 of the South Carolina Rules of Civil Procedure. (Motion at 26.) However, this is not a Rule 11 sanction, and Ms. Matney’s attempt to import Rule 11 requirements is misplaced. The Court exercised its inherent contempt power—a distinct authority with its own well-established legal basis. Rule 11 governs sanctions for frivolous filings; compensatory contempt governs reimbursement for costs caused by willful disobedience of a court order. The two authorities are independent, and the Court did not confuse them. Indeed, a reference to Rule 11 appears nowhere in the Court’s Order. Ms. Matney was not sanctioned for frivolity, but her instant Motion should be denied for frivolity.

IX. The Court Expressly Applied the Governing Factors and Exercised Its Discretion to Substantially Reduce the Fee Request.

Ms. Matney complains the Court’s twenty-two (22) page Order lacks sufficient findings for a meaningful appellate review. (Motion at 27.) The Court’s Order states that it awarded fees

“after applying the *Miller* and *Poston* factors” and that the award “represents a 44.7% reduction of the total fees and costs originally requested.” See *Blumberg v. Nealco, Inc.*, 310 S.C. 492, 494, 427 S.E.2d 659, 660 (1993) (“In determining an award of attorney’s fees, there are six factors to consider: ‘1) nature, extent, and difficulty of the legal services rendered; 2) time and labor devoted to the case; 3) professional standing of counsel; 4) contingency of compensation; 5) fee customarily charged in the locality for similar services; and 6) beneficial results obtained.’”) This demonstrates the Court engaged in the required analysis: it reviewed the billing submissions from three firms, applied the governing legal standards, and exercised its discretion to reduce the amount requested by nearly half. The Parker’s Defendants do not object to the Court addressing the aforementioned factors more than it already has in the denial of Ms. Matney’s Motion, but do not believe such is necessary.

X. Ms. Matney’s Recycled “Adequate Excuse” Arguments Fail Because the Record Demonstrates Deliberate, Willful Noncompliance.

Ms. Matney next suggests the Order does not fully address “adequate excuse” under Rule 45(e) of the South Carolina Rules of Civil Procedure. (Motion at 28–30.) Here, Ms. Matney is simply rehashing arguments she spent multiple days in court asserting. Her worn-out arguments afford no basis for reconsideration and should be perfunctorily dismissed as the record is dispositive on willfulness and the Court more-than-adequately considered Ms. Matney’s frivolous excuse argument.

The record and the Court’s Order demonstrate the following: At the April 7, 2026 hearing, Ms. Matney testified under oath that she decided not to go to the noticed deposition location, and that she was physically able to travel there. (April 7, 2026 Hr’g Tr. 52:9–19.) She further testified that she had access to transportation, was not hospitalized, and was not physically unable to attend. (April 7, 2026 Hr’g Tr. at 20:11–21, 21:3–5.) This is the very definition of willful disobedience.

Ms. Matney's attempts to recharacterize her conduct as "conditional compliance" are unavailing. (Motion at 29.) *First*, being in the "right city" is not compliance. A subpoena requires appearance at the noticed location, not merely presence in the same municipality. A witness under a trial subpoena who drives to the city where a courthouse is located but refuses to enter the courtroom has not complied with a trial subpoena. The same applies for a witness subject to a deposition subpoena. *Second*, a Zoom appearance from another location is not physical appearance. The subpoena and the Court's March 16, 2026 Order required in-person attendance at the noticed location. Appearing via video from a different address does not satisfy that obligation. *Third*, filing an emergency motion does not stay compliance. As the Court found, absent a court order granting relief, a pending motion does not excuse a deponent from appearing as required. *See James v. S.C. Dep't of Transp.*, 393 S.C. 440, 450, 711 S.E.2d 919, 925 (Ct. App. 2011) (holding expert witness was required to appear in South Carolina for deposition absent agreement or court order overriding location requirement). Ms. Matney knew this—she testified at the April 7 hearing that she understood she was required to appear.

As to safety concerns, the Court also conducted a thorough credibility assessment and found Ms. Matney's multi-day testimony not credible. The record supports this finding: Ms. Matney never filed a police report, never obtained a restraining order, identified no physical threats, and acknowledged that the alleged harassment by James Seidel was entirely online. She rejected multiple alternative locations—including a building with security guards on the 7th floor in Columbia—insisting only on her own attorney's office. Her pre-deposition social media posts document her attempt to turn her deposition into a spectacle, and her celebratory post-deposition posts (eating pound cake with plaintiffs' counsel) are fundamentally inconsistent with genuine fear. The Court's credibility determination is entitled to deference and does not constitute clear error.

Because the evidentiary record conclusively establishes willful noncompliance, the Court's Order should not be altered or amended on this frivolous ground.

XI. Ms. Matney's Verification Challenge Fails Because She Supplied the Verification Herself Through Her Sworn Testimony.

Ms. Matney rehashes another meritless argument in claiming the absence of an affidavit is a fatal defect. (Motion at 30–33.) The Court directly addressed this issue at the June 22, 2026, hearing and ruled from the bench that the verification requirement was satisfied through Ms. Matney's own sworn testimony at the April 7, 2026, hearing. This ruling is correct for all the reasons the Court has previously expressed.

The purpose of the verified petition requirement is to ensure that contempt proceedings are not initiated on the basis of false or unsubstantiated allegations. *See State v. Nathans*, 49 S.C. 199, 27 S.E. 52, 57 (1897). Here, that purpose was fully served: the respondent herself testified under oath that she did not appear at the noticed location. There is no conceivable risk that the allegations of contempt were false when the alleged contemnor admitted them under oath. The Court expressly relied upon *Nathans* and Ms. Matney's Motion utterly fails to address this precedent. Her decision to ignore *Nathans* is not only telling, but fatal.

Further, Ms. Matney's argument is inherently inconsistent. On the one hand, Ms. Matney alleges she did not receive adequate due process, which was addressed above; here, on the other hand, Ms. Matney apparently alleges the April 7, 2026, hearing should never have happened. (Motion at 31 (asserting in the header "The April 7 Hearing Should Never Have Happened").) Regardless, Ms. Matney waived this objection. The April 7, 2026, hearing was expressly convened to determine whether a Rule to Show Cause should issue, and Ms. Matney was fully aware or should have been fully aware that she was subject to the possibility of being called to testify. Ms. Matney's counsel was present and had full opportunity to raise any procedural objection at that

time. Regardless of whether Ms. Matney “flagged the missing verification in her response to the motion for rule to show cause on April 6, 2026,” (Motion at 33), her failure to raise the verification issue at the hearing designed to determine whether to issue the rule constitutes waiver. Ms. Matney’s previously rejected argument should again be rejected.

XII. The Court’s Reservation of Jurisdiction Does Not Alter Ms. Matney’s Existing Due Process Rights and Requires No Clarification.

Ms. Matney contends the Court’s reference to retaining jurisdiction should be clarified to require new notice and a hearing before any future sanctions. (Motion at 34.) However, the retained-jurisdiction provision amounts to nothing more than ensuring Ms. Matney is aware she is subject to a future show cause order if she does not comply with the Court’s Order. Due process protections apply by operation of law to any future contempt proceedings—they need not be specifically recited in the Court’s Order. Ms. Matney will be entitled to a similar process utilized up to this point and that, upon her failure to comply with the current Order, would be required at that time—a fact that is true regardless of whether the Order says so. Adding such language would be mere surplusage, adding nothing to Ms. Matney’s existing rights and serving only to suggest, incorrectly, that the Court’s existing Order somehow threatens future deprivations without process. It does not. In sum, Ms. Matney’s argument here does not justify any alteration or amendment of the Court’s Order.

Ms. Matney’s suggestion that recusal may become necessary because the Court allegedly “pre-judged” the issue of attorney’s fees is completely baseless. (Motion at 34.) The Court possessed both affidavits and billing statements prior to issuing its Order, and the Order notes it considered the requisite factors in determining a reasonable amount of fees. Ms. Matney’s allegation is particularly improper because it rests on nothing more than disagreement with the Court’s rulings. By implying judicial bias without any sufficient basis, Ms. Matney advances an

inflammatory accusation that unfairly calls into question the Court's impartiality and integrity. Courts routinely distinguish between adverse judicial decisions and actual bias, and the former cannot serve as a basis for recusal. Because Ms. Matney identifies no facts demonstrating prejudice, misconduct, or extrajudicial bias, her assertion is not only unfounded, but appears calculated to cast unwarranted doubt on the Court's neutrality rather than raise a legitimate legal issue. The Court should therefore reject both the substance and insinuation of this allegation.

CONCLUSION

For the foregoing reasons, Ms. Matney has failed to identify any error of law, overlooked fact, or other basis warranting relief under Rule 59(e). Her Motion merely repackages arguments the Court has already carefully considered and correctly rejected, while disregarding the undisputed record, controlling authority, and the Court's extensive factual findings. The Court properly exercised its contempt authority, properly determined the amount of compensatory fees and costs, and properly found that Ms. Matney's noncompliance was willful and without adequate excuse. Accordingly, the Parker's Defendants respectfully request that the Court deny Ms. Matney's Motion in its entirety and grant such other and further relief as the Court deems just and proper. The Parker's Defendants reserve the right to seek fees and costs associated with responding to this Motion.

Respectfully submitted,

[signature page follows]

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