

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

James C. ("Chris") McNeil and
Meaghan Poyer,

Plaintiffs,

v.

SAC 181, LLC,
Meridian Residential Group, LLC,
Adam W. Bayles, individually,
Tara Bayles, individually, and
MRG Investing Company LLC,

Defendants.

)
)
) IN THE COURT OF COMMON
) PLEAS
) NINTH JUDICIAL CIRCUIT
)
) Civil Action No.: 2025-CP-10-05095
)
) PLAINTIFFS' RESPONSE AND
) CROSS-MOTION FOR
) SANCTIONS IN OPPOSITION TO
) DEFENDANT SAC 181 LLC'S
) MOTION FOR SANCTIONS
) AND INCORPORATED
) MEMORANDUM OF LAW
)
)
)
)

FILED

NOV 26 2025

JULIE J. ARMSTRONG
CLERK, C.P. & G.S.

PRELIMINARY STATEMENT

Plaintiffs take full responsibility for the citation errors identified in Defendant SAC 181 LLC's Motion for Sanctions and are concurrently filing a separate Notice of Correction. That is on Plaintiffs. The Notice now supplies the correct South Carolina authorities and shows that the underlying legal principles in Plaintiffs' earlier filings still stand. Those principles have not changed. The errors came from rushed research during a crush of deadlines, not from any intent to mislead or to give Plaintiffs any advantage. In fact, they gave no advantage. The record has been corrected, and Plaintiffs have tightened their verification steps to prevent a repeat.

Plaintiffs appreciate that SAC 181 brought these citation issues to light, because accuracy in what is filed with the Court matters to everyone involved, including Plaintiffs, who have always been willing to correct the record promptly when a mistake is identified. Reasonableness, however, requires more than spotting an error. It means first giving the other side a fair opportunity to cure before asking the Court to impose sanctions. SAC 181 did not do that. Instead, it went straight to an aggressive motion seeking unprecedented sanctions and dismissal over errors that were honest, fully correctable, and have now been cured, without any prior notice to Plaintiffs or request that they correct the citations informally. The principle of proportionality is similarly transgressed by SAC 181's choice of remedy: an aggressive motion seeking unprecedented sanctions and dismissal over errors that were honest, fully correctable, and have now been cured.

By contrast, Plaintiffs have consistently shown reasonableness by giving opposing counsel clear notice and an opportunity to correct course before seeking sanctions when serious problems were discovered in opposing filings. Attorney Pettis received two detailed warning emails regarding conflict concerns before Plaintiffs moved to disqualify him. Attorney Bolyard was served with a Rule 11 motion in draft form and given twelve days to amend or withdraw her Answer before Plaintiffs filed it. In both instances, Plaintiffs practiced proportionality by seeking remedies tailored to the harm and reasonableness by treating sanctions as a last resort, not a first response.

Plaintiffs respectfully submit that the Court's attention is best directed to conduct that cannot be cured by a notice, such as the creation and use of a falsified "postmark" document to defeat statutory deposit-return obligations and misstatements to court staff about Plaintiffs' "consent" to a continuance, rather than to citation errors that have been owned, corrected, and that never altered the underlying law or facts [**Exhibits H: Timeline of Defense Obstruction and Discovery Violations; and C: Results of Defense Lawfare: Documented Pattern of Procedural Harassment**].

This response is necessarily detailed because the Court must see this motion in the context of defense counsel's broader pattern in this case. When the Court ignores the noise of frivolous, status-driven motions such as this one and examines the signal of the record, it becomes clear that the Defense has no answer on the merits and has instead chosen to attack the messenger. [**Exhibit A: Harmful Beliefs About Pro Se Litigants**] This motion for sanctions is frivolous, grossly disproportionate, and itself a sanctionable abuse of process.

Plaintiffs respectfully request that the Court:

- **DENY** Defendant's Motion for Sanctions in its entirety;
- **GRANT** Plaintiffs' Cross-Motion for Sanctions against defense counsel for filing a frivolous motion designed to harass rather than protect legitimate interests;
- **RECOGNIZE** the documented pattern of status-based bias and procedural abuse that characterizes defense counsel's conduct throughout this litigation;
- **ISSUE** appropriate corrective measures to prevent further harassment and protect the integrity and credibility of the court.

I. FACTUAL BACKGROUND

A. The Nature of This Dispute

This case arises from systematic exploitation of Plaintiffs during their tenancy at 181 Gordon Street, Charleston, a property owned by SAC 181, LLC and managed by Meridian Residential Group, LLC. Plaintiffs' claims include:

- Wrongful retention of security deposit in violation of S.C. Code Ann. § 27-40-410
- Falsified postal documentation (USPS postal stamp forgery)

- Unauthorized commercial use of Plaintiffs' family images across rental platforms
- Retaliatory eviction and constructive displacement
- Privacy violations and emotional distress

These substantive claims remain unaddressed while defense counsel devotes resources to attacking Plaintiffs' methodology rather than the merits.

B. Defense Counsel's Pattern of Procedural Harassment

Since their appearance in this litigation, defense counsel from Phelps Dunbar LLP has engaged in a documented pattern of conduct designed to obstruct discovery and exhaust pro se resources. The pattern includes:

- **Discovery obstruction and protective-order gamesmanship:** On October 3, 2025, Plaintiffs served their first set of discovery requests. No timely responses or objections were served by the November 7 deadline. Instead, on that deadline, SAC 181 filed a Motion for Protective Order and Stay of Discovery rather than answering, creating the appearance of activity while avoiding compliance.
- **Strategic timing and motion layering:** On November 10, 2025, three days after discovery responses were due and still outstanding, SAC 181 filed a Motion for Case Management Order regarding "AI." Nine days later, on November 19, 2025, SAC 181 filed the present Motion for Sanctions over citation errors that Plaintiffs have now corrected. Each motion required substantial time-sensitive responses while discovery obligations remained unmet.
- **Misrepresentation of Plaintiffs' position to court staff:** On November 18, 2025, SAC 181's counsel emailed the Court's scheduler representing that all parties had consented to a continuance. In fact, Plaintiffs' consent was conditional - tied to expedited reset and no discovery stay - and both defense camps had expressly rejected those conditions in writing.
- **Escalation from condescension to sanctions:** Defense counsel's November 3 email (filed as Exhibit A to SAC 181's motion) contains repeated "cautions" about Plaintiffs' use of Rule 11, dismisses Plaintiffs' jury-risk analysis in scare quotes, and suggests their work product "we expect from AI." When these intimidation tactics did not end the litigation, SAC 181 escalated to formal sanctions motions attacking competence instead of answering discovery.

Plaintiffs also submit the Affidavit of Meaghan Poyer. **[Exhibit C1: Affidavit of Meaghan Poyer]**

It is not offered as a plea for sympathy, but as evidence of the real-world impact of Defendants' choices on a vulnerable tenant household and of how SAC 181's agents' tactics - retaliatory displacement, privacy violations, and procedural obstruction - function in practice. The affidavit is part of Plaintiffs' broader system study of how current landlord-tenant practices and litigation tactics affect access to justice for vulnerable tenants: it shows both the human costs of these tactics and the risk they create for all parties when such conduct is brought into the open in a transparent record.

[Exhibit C: Pattern and Results of Defense Procedural Abuse]

C. The "Docket-Crowding" Accusation: Context and Causation

SAC 181's motion claims Plaintiffs "continue to file a large number of motions in a short time frame." However, examination of the record shows the opposite: Plaintiffs' filings are direct, necessary responses to defense conduct.

Defense Action / Inaction	Date	Plaintiff Response	Reason
Discovery served on Defense	10/03/25	Discovery Requests	Standard procedure
Defense misses response deadline	11/07/25	Motion to Compel (11/10)	Defense failed to respond or object
Defense files Protective Order	11/07/25	Opposition (11/13)	Required response to discovery stay
Defense files "AI Paranoia" Motion	11/10/25	Amended Response (11/13)	Frivolous motion attacking competence
Defense misrepresents consent to Court	11/18/25	Notice of Clarification	Correction of false representation
Defense files Sanctions Motion	11/19/25	This Opposition	Vigorous defense required

Analysis: Plaintiffs did not "crowd the docket." Plaintiffs documented the pattern of obstruction that defense created. **Every Plaintiff filing above traces directly to a defense motion, missed deadline, or misstatement.** The appearance of volume is the necessary cost of responding to an obstruction-first litigation strategy. The defense itself created the volume it now complains about.

[Exhibit B: Evidence for Impact of Defense Dilatory Tactics on Error Rate; Exhibit C: Pattern and Results of Defense Procedural Abuse; Exhibit G: Timeline of Defense Obstruction and Discovery Violations]

D. The Citation Errors in Context

Defense counsel identifies citation errors in Plaintiffs' Response in Opposition and Motion for Leave to File Second Amended Complaint and Plaintiffs' Motion to Compel Discovery, filed on October 30 and November 10, 2025, respectively.

Plaintiffs acknowledge that some citations contained errors such as cases cited to incorrect reporters, holdings mischaracterized, or cases that could not be verified. However, these errors must be understood in context:

1. **Defense-Created Pressure:** The very dilatory tactics documented above created time pressure and cognitive load that contributed to research errors. Defense cannot manufacture crisis and then criticize error rates within that crisis.

2. **Good Faith Effort:** Plaintiffs made genuine efforts to research applicable law using available legal databases and secondary sources. Errors resulted from inexperience with citation verification, not intent to deceive.
3. **Immateriality:** The citation errors did not affect the substance of Plaintiffs' arguments or prejudice any party. The legal principles cited remain valid, even if imperfectly sourced.
4. **Correction Offered:** Plaintiffs are concurrently filing a Notice of Correction and have added verification steps to their workflow.

[Exhibit B: Evidence of Impact of Defense Dilatory Tactics on Error Rate]

II. LEGAL ARGUMENT

A. Defense Motion Fails to Meet Sanctions Standards

1. No Evidence of Bad Faith or Intent to Deceive

Sanctions under the Court's inherent authority to address fraud on the court require bad faith or willful misconduct, not mere error. *Brandt v. Gooding*, 368 S.C. 618, 630 S.E.2d 259 (2006). Rule 11, SCRCP, is aimed at objectively unreasonable filings, not good-faith mistakes that are promptly corrected.

Defense counsel offers no evidence of bad faith. Instead, they assert "upon belief and understanding" that AI was involved—rank speculation dressed as fact. The motion rests entirely on the presence of citation errors (which can result from many causes), the "sophistication" of Plaintiffs' filings (which reflects documented expertise), and unsubstantiated assumptions about AI use. This is insufficient as a matter of law.

Defense also ignores that Plaintiffs' current filings are consistent in style and structure with Plaintiffs' pre-AI litigation work in *McNeil v. Comcast, et al.*, Case No. 2021-CP-10-02237, and with Plaintiff McNeil's long-standing professional work in systems analysis and strategic communication. **[Exhibit D: The Thaut Process Methodology—Consistency Across Pre-AI and Current Litigation (Demonstrating Sophistication Predates AI)]** This continuity proves the sophistication results from established expertise, not improper AI assistance.

[Exhibit E: The "Errors Equal Fraud" Fallacy: Logical Analysis of Defense Arguments]

2. Remedy Grossly Disproportionate

Even assuming—which Plaintiffs do not—that sanctions were warranted, dismissal with prejudice would be wildly disproportionate. South Carolina courts reserve dismissal for egregious misconduct, not citation errors in two filings. Appropriate remedies for citation errors are:

1. opportunity to file a corrected pleading,

2. admonishment, or
3. monetary sanctions in extreme cases only.

Dismissal with prejudice for citation errors - while substantive claims of falsified postal documentation, unauthorized image exploitation, security deposit wrongdoing, and retaliatory eviction remain unaddressed - constitutes manifest injustice.

B. It Is Defense Counsel's Conduct That Warrants Sanctions

1. Filing Frivolous Motion (Rule 11(b))

Rule 11(b) requires every motion be:

1. well-grounded in fact,
2. warranted by law or good faith argument, and
3. not interposed for improper purpose. Defense counsel's sanctions motion violates all three.

Not well-grounded in fact: The central claim—that AI generated the citations—rests on speculation, not evidence.

Not warranted by law: No authority supports dismissal based on citation errors absent intent to deceive.

Improper purpose: The motion was filed on the discovery deadline, attacks method rather than merits, and follows failed intimidation attempts. This pattern demonstrates harassment, not judicial integrity. [Exhibit C: Pattern and Results of Defense Procedural Abuse; Exhibit G: Timeline of Defense Obstruction and Discovery Violations.]

2. Pattern of Status-Based Harassment

Defense counsel's November 3, 2025 email (filed as Exhibit A to their own motion) reveals a pattern of status-based assumptions: dismissing Plaintiffs' Rule 11 analysis as outside pro se competence, suggesting sophistication must result from AI, using scare quotes around "jury risk analysis," and threatening AI certifications.

When these intimidation tactics failed, defense escalated to formal sanctions—the ultimate expression of status-based bias. This pattern violates S.C. Rules of Professional Conduct, Rule 4.3, which prohibits attorneys from intimidating, misrepresenting, or belittling unrepresented parties.

[Exhibit A: Harmful Beliefs About Pro Se Litigants; Exhibit F: Defense Counsel's November 3, 2025 Email]

III. CROSS-MOTION FOR SANCTIONS

Plaintiffs respectfully move for sanctions against defense counsel pursuant to Rule 11, SCRCP, and the Court's inherent powers, based on:

A. Grounds for Sanctions

1. **Filing Frivolous Motion:** The sanctions motion lacks factual foundation (speculation about AI), legal basis (no authority for dismissal based on citation errors), and serves improper purpose (harassment, not judicial integrity).
2. **Pattern of Misconduct:** The motion represents the culmination of documented harassment including discovery obstruction, intimidation tactics, misrepresentations to the Court, and status-based bias. **[Exhibit G: Timeline of Defense Obstruction and Discovery Violations]**
3. **Violation of Professional Rules:** Defense counsel's conduct violates Rules 3.1 (meritorious claims), 3.4 (fairness to opposing party), 4.3 (dealings with unrepresented persons), and 8.4 (conduct prejudicial to justice).
4. **Wasted Resources:** The frivolous motion has required Plaintiffs to divert resources from prosecuting legitimate claims to defending against baseless attacks.

B. The Fundamental Paradigms Driving Defense Conduct

Defense counsel's pattern of status-based harassment flows from deeper, systemic belief structures that undermine both **Integrity** and **Fairness**:

- **The Gatekeeper Paradigm:** The Defense operates as if knowledge acquired outside the Bar is inherently illegitimate, as if truth itself requires a license.
- **The Resource-Right Equation:** The Defense's 'burn rate' strategy reveals a belief that **justice is a luxury commodity**, means-tested through procedural exhaustion.
- **The Compliance Model:** Defense counsel's lectures and threats ("caution the use of Rule 11," "expect AI") reflect a Milgram-style obedience framework (**Exhibit F**) where questioning authority is insubordination.

[Exhibit A: Harmful Beliefs About Pro Se Litigants]

C. Requested Sanctions

Plaintiffs request that the Court:

1. Award Plaintiffs their reasonable costs in responding to this frivolous motion;
2. Issue a written finding that defense counsel's motion was filed without adequate factual or legal basis;
3. Require defense counsel to comply with outstanding discovery obligations within 14 days;

4. Admonish defense counsel regarding appropriate treatment of pro se parties in future communications and filings; and
5. Consider these documented patterns of obstruction and status-based harassment when evaluating any future motions from defense counsel in this case.

IV. EXPLAINABLE EXPERTISE

A. Plaintiffs' Filings Reflect Established Professional Expertise Not Improper Assistance

Defense counsel's speculation that the sophistication of Plaintiffs' filings implies the use of AI or a "ghostwriter" rests on a false premise: that a self-represented litigant cannot produce organized, strategic work on their own. This assumption ignores Plaintiffs' documented professional background and litigation history.

Plaintiff McNeil has a multiple decade career in systems analysis, strategic communication, and technical writing. The frameworks used to organize the facts and legal arguments in this case - specifically the methodology referenced in Exhibit D - are tools Plaintiff developed and published years before the advent of commercial AI. Similar values-based advocacy structures appeared in Plaintiffs' filings in *McNeil v. Comcast, et al.* (Case No. 2021-CP-10-02237), a complex civil matter litigated pro se against multiple corporate defendants, including SAC 181, LLC, before generative AI tools were available.

B. Continuity with Prior, Pre-AI Litigation

Exhibit D provides a detailed comparison demonstrating the continuity between Plaintiffs' filings in the 2021 case and the current litigation. The structural similarities prove that the "sophistication" Defense counsel finds suspicious is actually the result of a consistent, long-standing professional methodology applied to legal advocacy.

Plaintiffs approach this case not only as a claim for damages, but as a rigorous examination of systemic failures in the housing market - specifically, how power imbalances and procedural friction prevent vulnerable tenants from accessing justice. This "outside-in" system analysis, consistent with Plaintiffs' professional training, requires meticulous documentation and organization. It is this discipline, born of professional experience and necessity, that drives the quality of Plaintiffs' work—not AI.

Plaintiffs respectfully invite the Court to review Exhibit D should any doubt remain regarding the origin or authenticity of Plaintiffs' work product.

[Exhibit D: The Thaut Process Methodology—Consistency Across Pre-AI and Current Litigation (Demonstrating Sophistication Predates AI)]

V. CONCLUSION

Defense counsel asks this Court to dismiss claims of document forgery and privacy violations because a pro se litigant made citation errors. This is not about judicial integrity; it is about protecting status hierarchies through procedural volume.

SAC 181 has deployed a large law firm to bury Plaintiffs under motions and delays rather than answer the substantive claims: falsified postal documentation, retaliatory eviction, and unauthorized use of family images. This pattern—obstruction instead of defense—is documented in the record and fully set forth in Exhibits A through H.

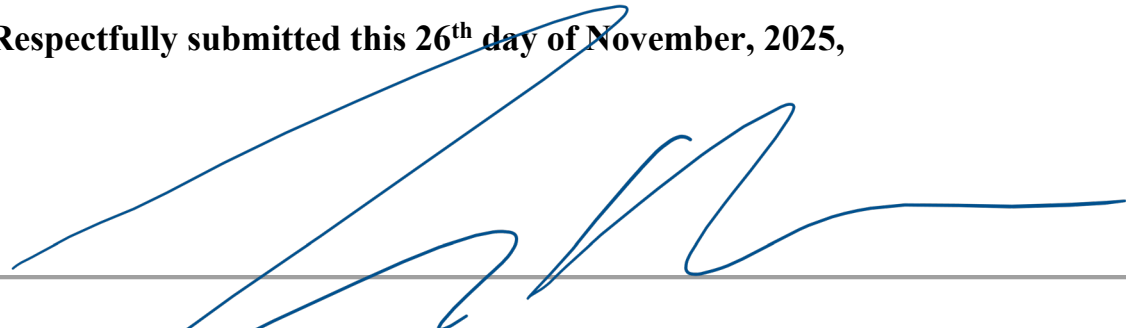
This Court has the power to evaluate arguments on their merits alone. By focusing on verified evidence rather than on who is speaking, the Court ensures a ruling that is fair, sound, and sets the precedent that every litigant, represented or not, stands equal before the law.

Defense counsel's own conduct of discovery obstruction, intimidation, and misrepresentation warrants the very sanctions they seek against Plaintiffs. Their motion is frivolous, their purpose is harassment, and by their own evidence they have forfeited credibility.

WHEREFORE, Plaintiffs respectfully request that the Court:

1. **DENY** Defendant SAC 181, LLC's Motion for Sanctions;
2. **GRANT** Plaintiffs' Cross-Motion for Sanctions against defense counsel;
3. **ORDER** defense counsel to comply with outstanding discovery within 14 days;
4. **ISSUE** such other and further relief as the Court deems just and proper.

Respectfully submitted this 26th day of November, 2025,



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EXHIBIT LIST

Exhibit A: Defense Counsel's Beliefs About Pro Se Litigants: A Pattern of Bias Driving Harmful Conduct

Exhibit B: Evidence for Impact of Defense Dilatory Tactics on Error Rate

Exhibit C: Results of Defense Lawfare: Documented Pattern of Procedural Harassment

Exhibit D: The Thaut Process Methodology—Consistency Across Pre-AI and Current Litigation (Demonstrating Sophistication Predates AI)

Exhibit E: The "Errors Equal Fraud" Fallacy: Logical Analysis of Defense Arguments

Exhibit F: Defense Counsel's November 3, 2025 Email (Demonstrating Pattern of Condescension and Status-Based Assumptions) [Already filed as Exhibit A to Defense Motion]

Exhibit G: Defense Obstruction and Discovery Violations

EXHIBIT A: DEFENSE BELIEFS ABOUT PRO SE

Purpose

This Exhibit documents a pattern of status-based assumptions by defense counsel that has shaped their litigation conduct and harmed their own clients' interests. The pattern reveals how credential-worship has driven procedural abuse instead of client service.

EXHIBIT A: BELIEFS ABOUT PRO SE LITIGANTS AND THEIR IMPACT ON THIS CASE

I. Purpose and Core Point

This Exhibit documents a narrow but important pattern: defense counsel’s status-based assumptions about pro se litigants, and how those assumptions have driven conduct that harms both the integrity of these proceedings and their own clients’ interests. It is not offered to psychoanalyze anyone, but to show, with specific quotes and actions, how a particular *mental model* about pro se parties has translated into missteps that now underpin SAC 181’s Motion for Sanctions.

In short, Defense appears to operate from an unconscious rule set:

- **If** work comes from a pro se litigant, **then** it must be less competent or less credible, **which means** any sophisticated work must be AI-generated or fraudulent.

This Exhibit shows how that presupposition repeatedly surfaces in words and deeds, and why it matters for the Court’s evaluation of credibility, motive, and proportionality.

II. Key Presuppositions (Model Table)

The following table summarizes the core “if → then = meaning” patterns that emerge from defense counsel’s own words:

Defense Assumption	Source Evidence	If → Then = Meaning	Impact in This Case
“Sophistication = Impropriety”	SAC 181’s Sanctions Motion (“relied on AI... misappropriated and fictitious citations”); Tate 11/3 email (“we expect from AI”)	If pro se work appears sophisticated, then it must involve AI or improper assistance, meaning competence requires credentials, not capability.	Attacks method instead of merits; treats quality as suspicious; sets up “errors = fraud” theory.
“Pro Se Cannot Understand Rules”	Tate 11/3 email: “not a rule that you understand” (re Rule 11)	If pro se invokes Rule 11, then they must misunderstand it, meaning only lawyers can legitimately use procedural tools.	Intimidates use of Rule 11; frames later sanctions motion as “correction” of pro se audacity.

Defense Assumption	Source Evidence	If → Then = Meaning	Impact in This Case
“Analytical Work Has No Value”	Tate 11/3 email: “purported ‘jury risk analysis’” (scare quotes)	If pro se performs analysis, then it is inherently suspect or worthless, meaning only credentialed risk models count.	Dismisses detailed jury-risk analysis without engagement; undermines early off-ramps.
“Technology = Cheating (for Pro Se)”	Tate 11/3 email: “documents you have had created (we expect from AI)” and intent to seek AI certifications	If a pro se litigant uses technology, then it is likely misconduct, meaning efficiency tools are for lawyers only.	Justifies extraordinary AI-focused motions; treats tools commonly used by firms as suspect when used by pro se.
“Status Trumps Truth”	Misstatement of Plaintiffs’ “consent” to continuance; insistence that Pettis was not counsel of record for discovery while relying on him as counsel for service of the amended complaint	If there is a factual or procedural dispute, then the Court will believe counsel over pro se, meaning credibility is rank-based, not performance-based.	Encourages casual misstatements to court staff; assumes the “club” will be believed regardless of the full record.

This is a classic **Status-Over-Truth** pattern: the source of a statement is given more weight than its accuracy. When that pattern is unexamined, it invites exactly what has happened here—projection of misconduct onto the pro se party, while larger issues with defense conduct go unaddressed.

III. Concrete Examples in the Record

1. AI Assumptions and Citation Errors

- SAC 181’s Motion for Sanctions claims, “Upon belief and understanding, Plaintiffs relied on AI... resulting in misappropriated and fictitious citations.”
- Tate’s 11/3 email states, “some of the documents you have had created (we expect from AI)... are not actually documents... used.”

What if we shift the criteria to accuracy rather than source:

Defense invites the Court to evaluate filings by *who* wrote them (pro se vs. licensed) and *how* they were drafted (AI vs. not), instead of by **what** is now before the Court: the corrected authorities and the unchanged legal principles. Plaintiffs’ Notice of Correction directly addresses the only legitimate criterion - accuracy of law.

2. Rule 11 and Pro Se Competence

- Tate warns: “We would caution the continued and purported use of SCRCRCP Rule 11... when it is not a rule that you understand...”

If → Then = Meaning (before):

- If a pro se litigant invokes Rule 11 against defense counsel, then by definition they do not understand it, meaning only attorneys may credibly threaten sanctions.

Effect:

- **Before:** Rather than engaging with the substance of Plaintiffs’ Rule 11 concerns (served in draft on Ms. Bolyard with a 12-day cure window, and twice e-mailed to Mr. Pettis before filing), defense reframes the mere act of using Rule 11 as presumptive overreach.
- **After:** With renewed respect for a competent pro se, mutual respect aids judicial efficiency in quickly getting to the merits and resolving the case.

3. Dismissing Jury Risk Analysis

- Tate’s email refers to Plaintiffs’ “purported ‘jury risk analysis’” in scare quotes and states there is “absolutely nothing to suggest” the claims could reach policy limits.

What if we shift the criteria to usefulness rather than source:

- **(before)** Plaintiffs’ detailed, numbers-backed analysis is framed as “less than credible,” not part of legitimate legal reasoning, because it comes from a pro se party. The criterion quietly shifts from “Is the analysis sound?” to “Who is speaking?”

Effect:

- **Before:** Reasonable off-ramps are rejected, increasing exposure for SAC 181 and contributing to the current sanctions spiral.
- **After:** With renewed respect for a competent pro se, mutual respect aids judicial efficiency in discussing potential settlement and resolving the case.

4. Misrepresenting Consent and Representation

- On November 18, 2025, Tate informed the Court’s scheduler that all counsel and “pro se plaintiffs” had consented to a continuance, even though:
 - Plaintiffs’ consent was expressly conditional.

- Both defense groups had, in writing, rejected those conditions.
- In the service context, defense has claimed that Pettis was not counsel of record for discovery service on October 3, 2025, while simultaneously treating his earlier acceptance of the Amended Complaint on September 15, 2025 as valid for engagement.

What if we shift the criteria to consistency rather than source:

- **(before)** The same lawyer is treated as counsel when it benefits defense (engagement based on service) and as non-counsel when it would obligate them (discovery service). The rules expand and contract depending on who invokes them.

Effect:

- **Before:** The message to the Court is: rules about consent and representation are flexible for counsel, rigid for pro se. That is the essence of a status-based double standard.
- **After:** With renewed respect for a competent pro se, mutual respect aids avoiding such games, saving Plaintiffs from undue work combatting them and aiding judicial efficiency.

IV. Why This Matters for This Motion

Defense's Motion for Sanctions does not arise in a vacuum. It is the latest move in a sequence driven by the presupposition that:

“If” a pro se litigant shows high competence, “then” something illegitimate must be happening, “which means” the Court should police the pro se party rather than examine defense conduct.

This lens explains:

- Why citation errors - now fully corrected - are inflated into “fraud upon the court,” while a falsified “postmark” document remains uncorrected.
- Why SAC 181 seeks dismissal and severe sanctions without first offering Plaintiffs the same opportunity to cure that Plaintiffs extended to Mr. Pettis and Ms. Bolyard.
- Why defense invests energy in AI-focused case-management motions and status-based admonitions instead of promptly answering discovery.

What if we shift the criteria to accuracy, reasonableness, and proportionality rather than source:

If the Court accepts the status-based framing, the outcome is harsh sanctions against the party that corrected its mistakes and no consequence for the party that fabricated evidence and obstructed discovery. If the Court instead evaluates conduct against shared values of **accuracy, reasonableness, and proportionality**, the likely outcome is reversed: the party engaging in falsification and obstruction faces scrutiny, and the party that cured its errors proceeds on the merits.

V. Closing Note

This Exhibit is provided to give context for a pattern that otherwise risks being seen as isolated incidents. Plaintiffs do not ask the Court to adopt any psychological theory, only to recognize how a set of unspoken assumptions about pro se litigants has shaped defense behavior and this Motion. When the Court grounds its decisions in evidence, corrected law, and equal application of the rules - rather than in status-driven expectations - it reinforces the principle that every litigant, represented or not, stands equal before the law.

EXHIBIT B: EVIDENCE FOR IMPACT OF DEFENSE DILATORY TACTICS ON ERROR RATE

Purpose: Establishes causal connection between defense obstruction and conditions contributing to citation errors.

Key Contents:

- (1) Visual Graphs to Illustrate
- (2) Scientific Studies on Fatigue and Cognitive Load Effects on Performance

(B1) Visualizing the Impact of Defense Dilatory Tactics on Error Rate

TL:DR: Visualizing How Error Rates Increase Across Fields Under Duress of High Hours, Stress, and Mental + Physical Fatigue

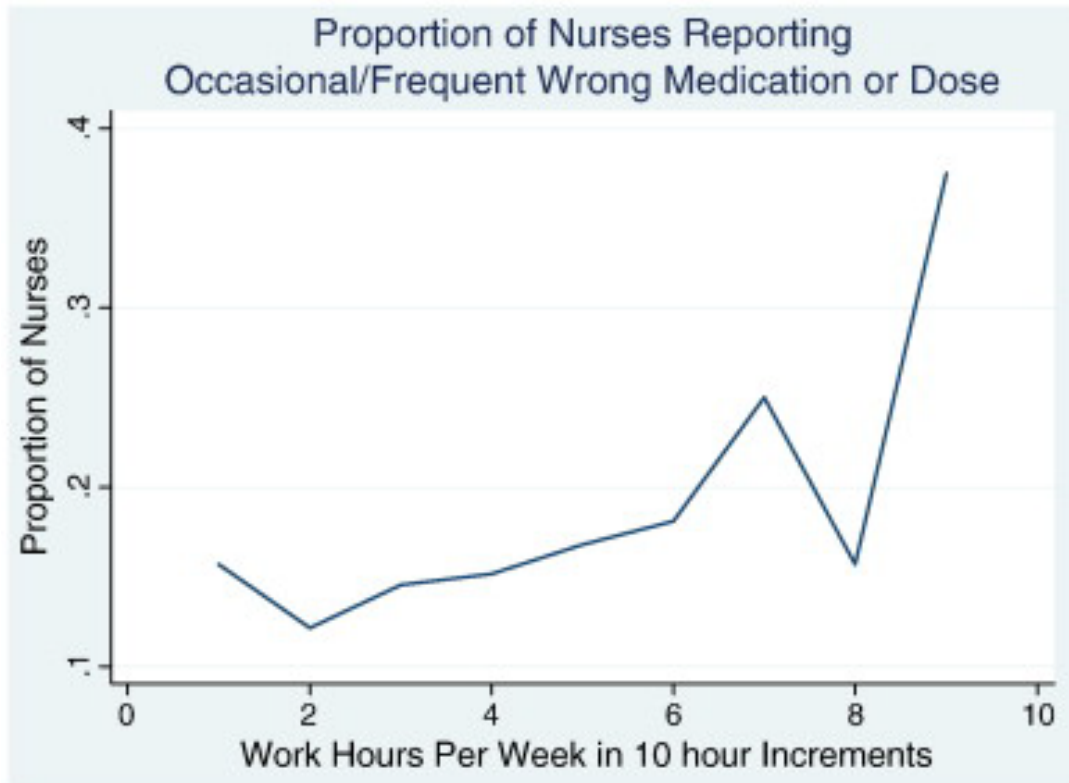


Figure 1: Error Rate Increases with Extended Work Hours

Proportion of nurses reporting occasional/frequent wrong medication or dose errors, by weekly work hours (10-hour increments). Error rates nearly triple from the 20-hour to 90+ hour work weeks. *Adapted from Olds & Clarke, Journal of Safety Research (2010), doi: 10.1016/j.jsr.2010.02.002.*

Research in high-stakes healthcare environments confirms that fatigue-induced errors are not a function of competence but of workload. Olds & Clarke (2010) found that nurses working 90+ hours per week reported medication errors at nearly **three times** the rate of those working 20 hours weekly—a finding consistent across 82% of fatigue studies reviewed by Bell et al. (2023). The Defense's strategy of generating procedural volume while simultaneously attacking the resulting errors exploits this well-documented phenomenon.

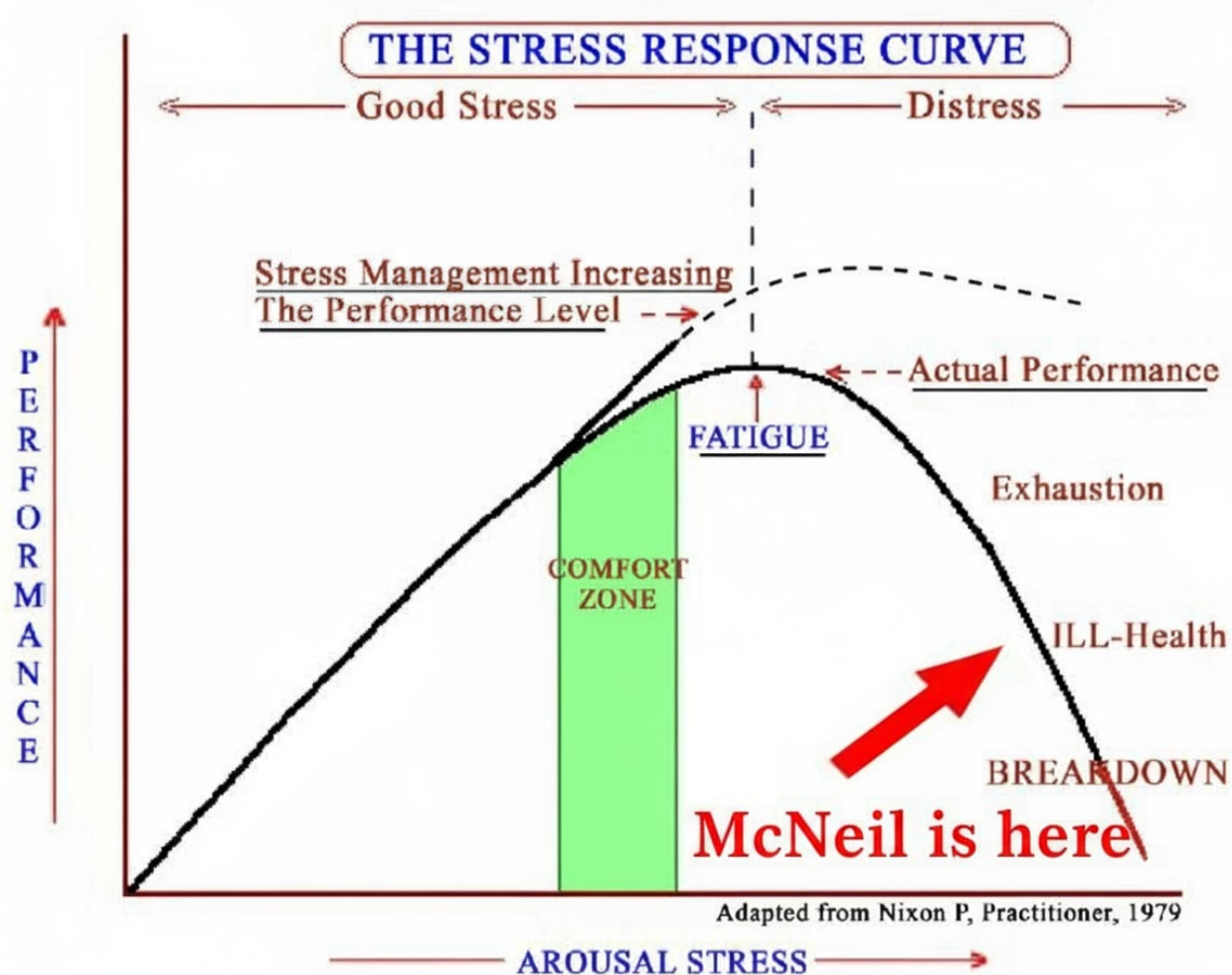


Figure 2: The Yerkes-Dodson Stress-Performance Curve and Defense-Induced Exhaustion

The well-established stress-performance relationship demonstrates that human cognitive performance degrades predictably under sustained high stress. Defense counsel's dilatory tactics – multiple defendant camps, law firms, and attorneys, discovery obstruction from Phelps Dunbar and Resnick & Louis, frivolous motions filed on deadlines, AI Paranoia Motions intended to harass - have pushed Plaintiff well past the optimal "Comfort Zone" into the Exhaustion/Ill-Health region where minor errors become statistically inevitable regardless of underlying competence. *Adapted from Nixon, P., The Practitioner (1979); Yerkes-Dodson Law (1908).*

(B2) Scientific Studies on Fatigue vs. Performance

Purpose and Summary

Scientific research unequivocally demonstrates that fatigue, sleep deprivation, and time pressure cause measurable cognitive impairment in complex knowledge work. Multiple peer-reviewed studies show error rates increase 20–56%, with effects comparable to alcohol intoxication. The legal profession formally recognizes that 40–70% of disciplinary proceedings and malpractice claims involve impairment from exhaustion. This evidence directly shows that the timeline- and deadline-induced pressure created by SAC 181's dilatory tactics—not research methodology—explains citation errors in Plaintiffs' filings.

I. SLEEP DEPRIVATION IMPAIRS COGNITIVE PERFORMANCE EQUIVALENTLY TO ALCOHOL INTOXICATION

Williamson & Feyer (2000), *Occupational and Environmental Medicine*: After 17–19 hours without sleep, cognitive performance was equivalent to or worse than **0.05% blood alcohol concentration** (the legal driving limit). After 24 hours awake, impairment reached **0.1% BAC levels**. Reaction times decreased by **57%** after 13–23 hours of sleep deprivation. [PDF: <https://pmc.ncbi.nlm.nih.gov/articles/PMC1739867/pdf/v057p00649.pdf>]

Van Dongen et al. (2003), *Sleep Journal*: Six hours of sleep per night for 14 days produced cognitive deficits equivalent to 1–2 full nights of total sleep deprivation. The 4-hour condition reached impairment exceeding 2–3 days of total deprivation. **Critically, individuals were largely unaware of their increasing deficits**—subjective sleepiness did not track with objective performance degradation. [PDF: <https://academic.oup.com/sleep/article-pdf/26/2/117/13662142/sleep-26-2-117.pdf>]

II. MEDICAL ERROR RESEARCH: EXTENDED WORK HOURS INCREASE ERRORS 36–460%

Landrigan et al. (2004), *New England Journal of Medicine*: Traditional 24+ hour medical intern shifts caused **35.9% more serious medical errors** compared to reduced schedules (≤ 16 hour shifts). More dramatic: **diagnostic errors increased 5.6-**

fold (18.6 vs. 3.3 per 1,000 patient-days), and **serious non-intercepted errors increased 56.6%**. [<https://www.nejm.org/doi/full/10.1056/NEJMoa041406>]

Barger et al. (2006): Physicians working 5+ extended shifts per month had **7.5 times the odds of fatigue-related significant errors** and **8.7 times the odds of preventable adverse events** compared to those with fewer extended shifts—**300% more fatigue-related preventable adverse events**.

Tawfik et al. (2018), *Mayo Clinic Proceedings*: Physicians with fatigue had **1.38 times the odds of self-reported medical errors**. The study included direct attorney testimony about stress effects: "*If I'm stressed I sometimes make mistakes I wouldn't otherwise because my mind is on my stress.*" [PDF: <https://pmc.ncbi.nlm.nih.gov/articles/PMC6258067/>]

III. TIME PRESSURE REDUCES ACCURACY 20–35%

Szalma, Hancock, & Quinn (2008) meta-analysis: Time pressure facilitated speed but **impaired accuracy with effect sizes of -.16 to -.32** across 125 studies with 827 effect sizes. Accuracy degraded across both perceptual and cognitive tasks.

Gonthier (2023), *Journal of Intelligence*: Even mild time pressure on intelligence testing decreased accuracy with **effect size $d = 0.35$** , a substantial reduction. Critically, accuracy declined **even when controlling for actual response time**, indicating qualitative changes in cognitive processing beyond simple speeding. Participants showed **reduced systematic problem-solving and increased guessing**. [PDF: <https://pmc.ncbi.nlm.nih.gov/articles/PMC10299616/>]

Van der Vegt et al. (2020): Medical professionals showed **24 percentage point absolute accuracy decrease** under high time pressure (65% → 41% correct). High pressure caused significantly more errors and **46% decreased confidence** despite the task remaining identical. [PDF: <https://pmc.ncbi.nlm.nih.gov/articles/PMC7524617/>]

IV. STRESS IMPAIRS PREFRONTAL CORTEX FUNCTION

Arnsten (2015), *Nature Neuroscience*: Even mild acute stress causes **rapid and dramatic loss of prefrontal cognitive abilities**. Stress increases catecholamine signaling, which weakens synaptic connections in the prefrontal cortex—the brain

region responsible for working memory, error detection, attention, and cognitive flexibility. [PDF: <https://pmc.ncbi.nlm.nih.gov/articles/PMC4816215/>]

Shields, Sazma, & Yonelinas (2016) meta-analysis: Stress significantly impaired working memory and cognitive flexibility, with particularly strong effects on tasks requiring sustained attention and information integration.

Liston & McEwen (2017), *Brain, Behavior, and Immunity*: Chronic stress causes **dendritic retraction and spine loss in prefrontal cortex**, reducing gray matter volume. Specific deficits include: impaired working memory, reduced selective attention with increased distractibility, problems with response inhibition, and cognitive inflexibility. [PDF: <https://pmc.ncbi.nlm.nih.gov/articles/PMC5756532/>]

V. THE LEGAL PROFESSION FORMALLY RECOGNIZES EXHAUSTION AS INCOMPATIBLE WITH COMPETENCE

ABA National Task Force on Lawyer Well-Being (2017): The task force explicitly states: "**40–70% of disciplinary proceedings and malpractice claims involve substance use or depression**" and concludes that "**well-being is an indispensable part of a lawyer's duty of competence.**"

The report documents that major depression impairs executive functioning including diminished memory, reduced attention, impaired problem-solving, and difficulty evaluating risks—**core features of competent lawyering**. The ABA recommends modifying Model Rule 1.1 to explicitly include lawyer well-being in the definition of competence. [PDF: <https://lawyerwellbeing.net/wp-content/uploads/2017/11/Lawyer-Wellbeing-Report.pdf>]

ABA CoLAP/Hazelden Betty Ford Study (2016): Survey of 13,000 practicing attorneys found **28% struggle with depression, 21–36% qualify as problem drinkers, and 19% experience anxiety**. The study explicitly connects these findings to professional competence and notes that the literature documents 40–70% of disciplinary proceedings involve impairment. [PDF: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4736291/>]

U.S. News Report: Burnout reduces productivity by up to 50% and leads to "less effective deliberative thinking... leading to missed deadlines, lower-quality work, and costly mistakes." The ABA's research found **administrative errors related to stress and overwork made up 23% of all malpractice claims**.

VI. MECHANISMS: HOW EXHAUSTION CAUSES ERRORS INDEPENDENT OF METHODOLOGY

The cognitive deficits caused by fatigue operate at multiple neurobiological levels and affect *how the brain processes information*, not which tools are used:

- **Attention and working memory fail:** Information cannot be held in mind or effectively processed
- **Error detection is impaired:** Mistakes slip through unnoticed
- **Cognitive flexibility is reduced:** Individuals become locked into initial interpretations
- **Decision thresholds lower:** Individuals accept weaker evidence, increasing false positives
- **Strategy shifts from systematic to heuristic:** Deliberate analysis is replaced by quick pattern-matching

Critically: These deficits affect legal analysis whether conducted with Westlaw, Lexis, AI systems, or traditional law library books.

VII. APPLICATION TO THIS CASE

The timeline of defense dilatory tactics created the exact conditions documented in this research:

1. **October 3–November 7:** Defense missed discovery deadline by 17 days, forcing pro se Plaintiffs into immediate response preparation
2. **November 7–November 19:** Defense filed three separate motions (Protective Order, "AI" Case Management Order, Sanctions) on successive deadlines, creating cascading urgency
3. **Result:** Plaintiffs were subjected to cumulative time pressure, deadline stacking, and cognitive load—conditions that scientific research shows **inevitably produce error regardless of competence or methodology**

The citation errors in Plaintiffs' filings are not evidence of fraud; they are predictable byproducts of the exhaustion deliberately induced by defense strategy.

CONCLUSION

The convergent evidence from sleep deprivation research, medical error studies, time pressure experiments, stress neurobiology, and legal profession surveys proves a single, irrefutable conclusion:

Fatigue, sleep deprivation, and time pressure cause measurable cognitive impairment that leads to errors in complex knowledge work, regardless of tools or methods used.

The citation errors occurred not because of research methodology, but because defense's dilatory tactics created the exact conditions documented in this research to impair cognitive performance by 20–56%.

EXHIBIT C: PATTERN AND RESULTS OF DEFENSE PROCEDURAL ABUSE

Purpose: Documents the comprehensive pattern of procedural harassment.

Key Contents:

- **(C1) Affidavit of Meaghan Poyer**
- **(C2) Results of Defense Lawfare**
 - Discovery Obstruction (18+ Days overdue)
 - Protective order gamesmanship
 - Continuance manipulation
 - Misrepresentations to court
 - Strategic timing (sanctions motion on discovery deadline)
 - Cost to Plaintiffs in time and resources

(C1) Affidavit of Meghan Poyer (High Cost of Defendants' Lawfare Tactics)

This Affidavit is submitted to provide the Court with a clear, first-person account of how Defendants' conduct has affected the daily life of a tenant household in this case.

It is not offered to invite special treatment, but to document concrete harms flowing from the same pattern of conduct described in the main brief: retaliatory displacement following habitability and safety requests, unauthorized commercial use of family images, and the cumulative stress of defending basic rights while facing coordinated procedural obstruction.

The Affidavit also supports Plaintiffs' broader system-level concern that current landlord-tenant practices and litigation tactics, when used this way, make access to justice especially difficult for vulnerable tenants.

By placing these impacts in the record, Plaintiffs seek to add transparency that can help the Court evaluate not only the damages they have suffered, but also the risks such tactics ultimately create for all parties when carried out in the name of a property-owning entity.

SUMMARY OF SWORN TESTIMONY

Effects on Mental and Physical Wellbeing:

- Co-Plaintiff Chris McNeil in state of "near-perpetual exhaustion and fatigue"
- No time for normal health practices, spiritual practices, physical fitness, or guitar
- Ongoing tiredness has disrupted normal family routines

Disruption of Family Life:

- Date nights, movies, and "album-listening nights" have stopped entirely—"not a single instance" since litigation escalated
- Daily dog walks now dominated by legal conversations and audio recordings rather than family time
- Home interactions "fraught with tension and curtness"

Disruption of Basic Household Functioning:

- Perishable groceries not put away promptly
- Trash and recycling missed due to email exchanges consuming evenings
- Basic tasks forgotten due to constant cognitive load from litigation

Incomplete Home Setup and Environmental Stress:

- House remains unpacked months after forced relocation
- Yard work incomplete; no proper fencing for dogs
- Home feels "temporary, unsettled, and constrained—more like a workspace and staging area for litigation than a stable, restorative place to live"

The Suffering of Rocket:

- 15-year-old Carolina Dog with deteriorated vision to near-blindness
- Had adapted to prior home that was set up to accommodate his growing blindness; move caused disorientation and distress
- Incident: Rocket trapped under antique couch for hours, whimpering
- Unable to establish standard routines or address Rocket's veterinary needs due to litigation demands
- Delayed dental surgery for Rocket because Chris working on case instead of clients

Impact on Professional and Personal Development (Meaghan):

- Full-time job plus two graduate-level courses
- Providing support to elder parents (one hospitalized 10 days recently)
- Lost time for: reading, artistic endeavors, graphic design, dance/fitness, high school coaching volunteer work, cooking/canning, church committee volunteering

Impact on Chris's Professional Work:

- Stopped meditating entirely (previously 3-5x/week)
- Guitar playing reduced from daily to "handful of times in more than three months"
- Halted Thought Leadership Studio podcast production (100+ episodes over two years, now silent)
- Prioritizing court filing accuracy over business development, client work, and creative projects

Purpose of Affidavit:

- Documents that Defense tactics have significantly harmed family's mental health, physical routines, household functioning, and financial stability
- Asks Court to evaluate whether Defense conduct constitutes "litigation-as-harassment aimed at grinding down a pro se family rather than resolving the case based on the clear evidence"

AFFIDAVIT OF MEAGHAN POYER

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

(High Cost of Defendants' Lawfare Tactics)

I, Meaghan Poyer, being duly sworn, state as follows:

1. I am a named Plaintiff in this action and the wife of co-Plaintiff James C. ("Chris") McNeil.
2. This Affidavit describes the impacts on our home life, mental and physical well-being, and ordinary functioning that have resulted from Defendants' retaliatory eviction and subsequent lawfare tactics, including the AI-focused sanctions motion to which this Affidavit is attached.

Effects on Our Mental and Physical Well-Being

3. I observe in Chris a state of near-perpetual exhaustion and fatigue. He has had almost no time for his normal personal health practices, including his spiritual practices, physical fitness routines, or musical and artistic pursuits.
4. This ongoing tiredness has disrupted our normal routines, especially with our elderly dog and our puppy, and with our time together as a family. Before these events, we regularly enjoyed date nights, movies, and album-listening nights together; since the retaliatory eviction and the escalation of litigation, those shared activities have stopped altogether. There has not been a single instance of any of them/
5. Our daily family dog-walking routines have also been disrupted. Many walks are now dominated by conversations and audio recordings of legal activities and ideas that Chris feels compelled to capture and follow up on as soon as we get back home, rather than simply enjoying time outside as a family.

Disruption of Basic Household Functioning

6. Standard household activities are frequently delayed or disrupted. The fatigue of the disruption of the move we had not planned on followed by the pressure of this case has impacted Chris to the point where basic tasks are forgotten. I have personally witnessed, for example:
 - o Perishable groceries not being put away promptly because attention is pulled back into legal work.

- Forgetting that an app or call “isn’t working” because the phone is still connected to Bluetooth headphones.
 - Trash and recycling not being put out on time because deadlines, filings, or email exchanges have taken over our evenings.
7. These are not isolated incidents. They reflect a constant cognitive load and time pressure that leaves little bandwidth for ordinary life.

My Own Workload and Strain

8. In addition to this legal case, I work a full-time job and commute by public transportation into the office.
9. I am currently taking two graduate-level courses, which demand significant reading, assignments, and focus.
10. I also provide physical and mental support to my elder parents: one who does not drive, and the other who recently spent 10 days in the hospital and continues to require attention from me.
11. Against this backdrop, our home interactions are often fraught with tension and curtness, as we are constantly trying to manage this case, meet our obligations, and still create a peaceful home environment. The pressure from Defendants’ litigation strategy pushes into every corner of our lives.

Loss of Personal Enrichment and Health Practices

12. My own personal activities have been significantly disrupted. Since the move and the escalation of this litigation, I have had far less time and energy for:
- Personal enrichment through reading.
 - Artistic endeavors, including graphic design and typography.
 - Physical fitness, including dance.
 - Returning to coaching with a local high school, which I had planned and was looking forward to.
 - Cooking and meal/food preparation, including canning and preserving, activities that are both practical and a source of joy for me.
13. These are not trivial hobbies; they are core components of how I maintain my mental and physical health, express creativity, and contribute to my community.

Incomplete Home Setup and Environmental Stress

14. Because so much time and energy has been consumed by defending against Defendants' filings and motions, we have not had the time to fully settle into our new home.

15. Specifically, we have:

- Not finished unpacking our house.
- Been unable to undertake the extensive yard work needed to make the outside environment functional and calm.
- Not yet set up proper fencing for our dogs, which would give them a safe outdoor space and give us peace of mind.

16. The result is that our home environment continues to feel temporary, unsettled, and constrained - more like a workspace and staging area for litigation than a stable, restorative place to live.

The Suffering of Rocket

17. Rocket is our 15-year-old Carolina Dog. Chris and I both love him and enjoy his antics, like always following people to the bathroom to stand guard outside and tossing our arms with his snout when he wants to go outside. I witnessed the antique couch Rocket got stuck under, tossed on its side and how upset Chris was that Rocket suffered under there for hours whimpering before Chris figured out what that noise was and found him. Rocket is blind now and we had set up the Gordon Street house for him to get around. Now he winces every time he eats because the expense of the move and Chris having to work on the case instead of with clients means we can't afford the dental surgery he needs now and his weight loss worries me.

Additional Observations About Chris's Sacrifices

18. In addition to the observations above, I have seen Chris:

- Stop meditating and working out entirely since the move, despite previously practicing both three to five times per week.
- Reduce his guitar playing from daily to only a handful of times in more than three months.
- Halt production of his Thought Leadership Studio podcast, despite having produced more than 100 episodes over a two-year period and never previously going more than a month without recording.

19. I have heard him say that he is intentionally placing accuracy and completeness in court filings above his own business development, client work, and creative projects, because he feels a moral and legal duty to make sure our case is

physical routines, household functioning, and financial stability have all been significantly harmed.

20. I submit this Affidavit so the Court can appreciate that what may, on the surface, appear to be "just another motion" or "ordinary litigation hardball" has, in reality, imposed an ongoing, heavy cost on our daily life, relationships, and well-being.

21. I respectfully ask the Court to consider these impacts when evaluating whether Defendants' tactics reflect proportional, good-faith advocacy, or whether they cross the line into litigation-as-harassment aimed at grinding down a pro se family rather than resolving the case based on the clear evidence, including what we have already documented.

I declare under penalty of perjury that the foregoing is true and correct.

Meaghan Poyer

Subscribed and sworn to before me this 24 day of November, 2025, by **Meaghan Poyer**, who is personally known to me or produced identification _____.

Meaghan K Poyer

Notary Public for South Carolina

Printed Name: Kyle Chrostowski

My Commission Expires: 10/13/2033

(Seal)

Date: 11/24/2025



(C2) Results of Defense Lawfare

McNeil & Poyer v. SAC 181, LLC et al.

Case No. 2025-CP-10-05095

Defense counsel's current motion for sanctions asks this Court to dismiss Plaintiffs' case with prejudice based on citation errors in two pro se filings. What the motion conspicuously omits is that those errors emerged from conditions defense counsel systematically created—and that the errors themselves are precisely what peer-reviewed research predicts when any human being, regardless of training or tools, is subjected to coordinated procedural harassment while simultaneously managing forced relocation, privacy violations, and family crisis.

The pattern is not complex: Defense counsel manufactured exhaustion, then demanded sanctions for the predictable results of that exhaustion. This is not zealous advocacy. It is the weaponization of litigation procedure to punish rather than compensate those who seek justice, sometimes known as “lawfare”.

The Exploitation Did Not Begin in Court. Before any filing was made in this case, Plaintiffs endured a retaliatory Notice to Vacate issued six days after they submitted good-faith safety requests regarding broken blinds, damaged screens, and asbestos concerns. The stated reason, "renovations", was contradicted when the property was listed for rent and shown to tenant prospects without any renovations performed, while Plaintiffs still lived there.

Interior photographs of Plaintiff Poyer, their belongings - including in private spaces like their bedroom and bathrooms - from a photo shoot done during what Defendant Meridian predecessor Roadstead called “an inspection” – were syndicated across at least twenty real estate platforms for commercial exploitation and retaliation.

Similarly, a virtual tour utilizing imagery of Plaintiff McNeil, his Thaut Strategic Thought Leadership branding, and their elderly blind dog Rocket in diapers, were obtained through misrepresentation (the false promise that "AI would remove" their images) and published on Matterport for distribution.

When Plaintiffs demanded their security deposit after it ran late, they received a fabricated envelope image bearing handwritten markings designed to misrepresent the mailing date – via a PDF scan whose metadata timestamp exposed the deception. The checks arrived late, with improper deductions and the same check numbers as scanned

along with the envelope that had allegedly gone in the mail 11 days before the date revealed by the scan filename.

This is the substantive conduct Plaintiffs brought to court. These are the claims defense counsel has spent three months avoiding through procedural obstruction rather than engaging on the merits.

The Litigation Itself Became a Continuation of the Harm. Phelps Dunbar attorneys Justine Tate and Kevin O'Brien have chosen a strategy of overwhelming frivolous motion practice and disrespectful, misleading communication over substantive engagement.

Rather than answer discovery requests served October 3, 2025, defense counsel coordinated across two law firms – Phelps Dunbar and Resnick & Louis – to harass Plaintiff McNeil and flood the Court with frivolous motions - AI certification demands, protective orders, continuances, and sanctions requests, each timed to either delay or distract from discovery deadlines and each designed to consume Plaintiffs' limited time and cognitive resources.

As of the filing of this response, discovery remains 78+ days overdue. Not a single interrogatory has been answered. Not a single document has been produced. Yet defense counsel now asks this Court to dismiss Plaintiffs' entire case because two filings contained citation errors that Plaintiffs promptly corrected upon discovery.

If the Court accepts this framing, it teaches a dangerous lesson: that obstruction combined with procedural attacks succeeds, and that defendants with sufficient resources can exhaust any pro se plaintiff into dismissal regardless of the merits of their claims.

The Science of Fatigue Explains Everything Defense Counsel Calls "Fraud." Modern cognitive research establishes that sleep deprivation and sustained time pressure produce error rates 20-56% higher than baseline in complex cognitive tasks—impairment equivalent to illegal blood-alcohol levels. The American Bar Association and legal ethics scholarship expressly recognize exhaustion as a leading driver of malpractice and disciplinary complaints among licensed attorneys with full firm support. Pro se litigants operating under the same conditions, without that support, should expect at least equivalent error vulnerability.

The conditions Plaintiffs faced during the period when the challenged filings were prepared included: forced relocation from a five-year home; 73% rent increase in the Charleston housing market where inventory sits at 1.0 months of supply; ongoing care for an elderly blind dog requiring medical diapers and multiple daily interventions; a

dying father-in-law requiring travel and family support; the complete halt of Plaintiffs' professional consulting practice and Strategic Thought Leadership platform launch due to litigation demands; and coordinated motion practice from four law firms requiring simultaneous responses across multiple deadlines.

Under these objectively documented conditions, the citation errors that appeared in Plaintiffs' filings—now corrected—are entirely consistent with what fatigue research predicts. They are inconsistent with fraud, which requires knowledge of falsity and intent to deceive. Defense counsel has proven neither. Defense counsel has not even alleged a specific fraudulent intent. The motion rests entirely on the logical fallacy that errors equal fraud—a fallacy that, if accepted, would retroactively invalidate every corrected brief in the history of South Carolina jurisprudence.

Defense Counsel May Believe They Are Protecting Their Clients. If so, they have chosen a strategy that achieves the opposite. Each motion filed without first complying with discovery obligations strengthens Plaintiffs' pattern evidence. Each personal attack on Plaintiffs' methodology validates the systematic exploitation claims at the heart of this case. Each day of continued obstruction adds to the documented timeline that a jury will eventually review.

Defense counsel may be focused on zealous advocacy by filing motions challenging Plaintiffs' research methods. But the result of filing such motions on the same day discovery responses were due—while providing zero responses for 78+ days—is that zealous advocacy transforms into coordinated obstruction, undermining the very judicial process counsel purports to protect.

The Court might reasonably assume that represented parties deserve deference in procedural disputes with pro se litigants. But the result of granting such deference when the represented parties have systematically violated discovery obligations is to reward bad faith, teaching future litigants that obstruction combined with procedural attacks succeeds.

The Real Question Is Not Whether Plaintiffs Made Errors. They did. They corrected them. The real question is whether this Court will sanction the party who corrected mistakes in good faith, or the parties who created the conditions producing those mistakes while refusing to engage the substantive claims at all.

If a pro se litigant produces errors under manufactured time pressure, and defense counsel is intentionally wasting their time with frivolous motions while creating additional pressure through condescension, intimidation, and discovery obstruction, then defense counsel—not the exhausted family—is the problem. And defense

counsel—not the exhausted family—deserves sanctions to preserve the integrity of this Court.

Carried to its logical end, defense counsel's position would require this: that any sophisticated pro se filing automatically equals cheating; that using powerful research tools is improper unless the user holds a bar card; that unexpectedly strong work from an outsider is grounds for suspicion rather than respect; and that the legal profession must be defined by permanent superiority rather than performance. This is another way of saying that truth, evidence, and outcomes should always lose whenever they conflict with hierarchy.

This Court need not accept that framework. The alternative is simpler and more just: evaluate the substance of the claims, compel the discovery that would illuminate those claims, and reserve sanctions for the party whose conduct actually threatens judicial integrity—not the party who filed imperfect briefs under impossible conditions and then took immediate steps to correct them.

What Plaintiffs Have Lost. The human cost of defense counsel's strategy is not abstract. During the period of coordinated motion practice, Plaintiffs' Strategic Thought Leadership platform launch - representing years of intellectual development and the primary vehicle for their professional practice - was completely halted. Client work was declined or delayed. Income that would have supported the family through this transition was foregone. Time that should have been spent with a dying family member was instead consumed by responding to motions designed to overwhelm rather than to advance legitimate legal interests. Care for Rocket - the elderly blind dog whose image was exploited without consent across commercial platforms—was compromised by the cognitive and emotional demands of litigation.

These are not collateral consequences of ordinary litigation. They are the intended results of a deliberate strategy to exhaust Plaintiffs into abandoning valid claims. Defense counsel's motion for sanctions is the culmination of that strategy: having manufactured the conditions for error, counsel now asks the Court to punish the errors while ignoring the manufacture.

The Court's Choice. This Court can grant deference to defense motions while ignoring their discovery non-compliance, in which case future pro se litigants will face an impossible standard—perfection required of them while obstruction is tolerated from represented parties—and the Court's fairness value becomes theoretical rather than actual.

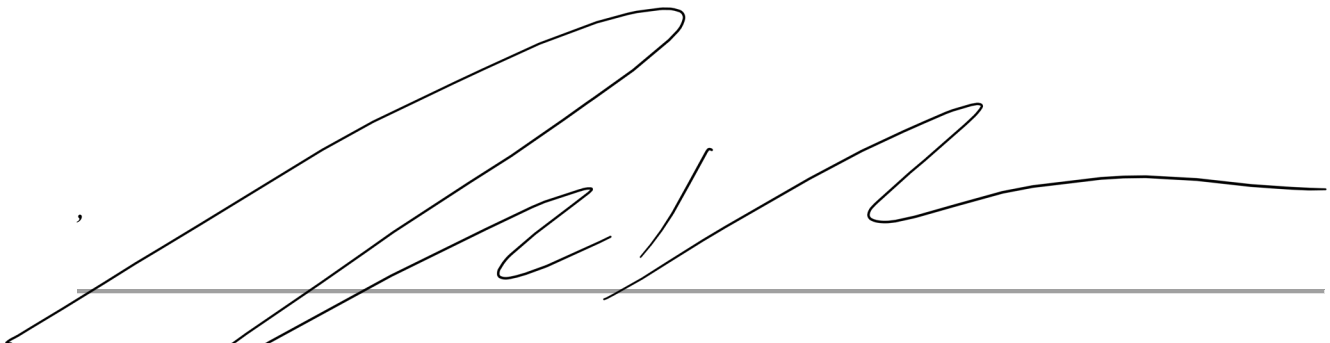
Or this Court can deny defense motions and compel immediate discovery compliance with meaningful sanctions for the obstruction that has already occurred. This

precedent would demonstrate that process abuse fails regardless of resources, and it would accomplish the fairness this Court values.

The errors in Plaintiffs' filings have been corrected. The obstruction from defense counsel continues. The substantive claims - falsified postal evidence, unauthorized image exploitation, retaliatory eviction, security deposit violations - remain unaddressed. The Court has the authority to determine which pattern of conduct actually threatens its integrity.

Plaintiffs respectfully submit that the answer is not difficult.

Respectfully submitted this 25th day of November, 2025,

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned above a horizontal line.

James C. ("Chris") McNeil, Pro Se
Meaghan Poyer, Pro Se
P.O. Box 30386
Charleston, SC 29417

EXHIBIT D:

THE THAUT PROCESS OF STRATEGIC THOUGHT LEADERSHIP SOPHISTICATION PREDATES AI

- **D1: What Is the Thaut Process?**
 - Printout from <https://thaut.io/g/process/The-Thaut-Process-of-Strategic-Thought-Leadership>
 - **Triadic** – Multiple Perspectives Build in Empathy and Insight
 - **Holistic** – Balanced n Perspectives, Modes and Sensory Systems
 - **Architecture** – Includes Clear Frameworks and Processes
 - **Underlying** – Not Evident in the Final Product
 - **Thought Leadership** – Net Result in a shift in thinking or paradigm
- **D2: Graphic Overview from 9 Building Blocks article**
 - Graphic from <https://www.thoughtleadershipstudio.com/b/blog/The-9-Building-Blocks-of-a-Thought-Leadership-Model>
 - ABP → TLP framework visual
 - Model Mover language patterns
 - State Shift Paths explanation
- **D3: Publicly Accessible Plaintiff's Opposition to Motion for PO of Confidentiality Order from 2021 Case, also with SAC 181, LLC as Defendant**
 - Raw Motion
 - Screenshot of Trello Card Used at Time for Thaut Process (simplified)
 - ABP → TLP
 - Model Mover language pattern shown
- **D4: Similar Analysis on Thaut Process in this Filing**
 - Raw Language
 - Analysis of a section showing how Thaut Process used (simplified)
 - ABP → TLP
 - Model Mover language pattern shown

- **(D1) What Is the Thaut Process of Strategic Thought Leadership?**

- Following: Printout from <https://thaut.io/g/process/The-Thaut-Process-of-Strategic-Thought-Leadership>
- **Triadic** – Multiple Perspectives Build in Empathy and Insight
- **Holistic** – Balanced n Perspectives, Modes and Sensory Systems
- **Architecture** – Includes Clear Frameworks and Processes
- **Underlying** – Not Evident in the Final Product
- **Thought Leadership** – Net Result in a shift in thinking or paradigm
- **Frameworks, Processes, and Definitions** (such as at StrategicThoughtLeadership.com/Glossary) show evolution of framework that **finally found strong product-market fit** - through AI Propagation: AI Powered Awareness, Influence, and Empowerment (See eBook “Get AI Marketing for Us”, released July 15, 2025, at aimarketing4.us) – just before it all got shut down by retaliatory eviction followed by Defense Counsel time-wasting tactics.



MENU ≡

THE THAUT PROCESS OF STRATEGIC THOUGHT LEADERSHIP

Thaut is an acronym that stands for
Triadic Holistic Architecture
Underlying Thought Leadership. It
includes a set of models that serve
as building blocks of high-impact,
positive influence.



The THAUT Process of Strategic Thought Leadership is an acronym that stands for

T - Triadic
H - Holistic
A - Architecture
U - Underlying
T - Thought Leadership



**THE
THAUT
PROCESS
OF
STRATEGIC
THOUGHT
LEADERSHIP**

TRIADIC

The THAUT Process is Triadic in that it is a triple-perspective system. Multiple points of view inform the process and give it balance.



SELVA

LEO	Aspect of THAUT Process
L = Listen	Audience Attunement
E = Envision	Thought Leadership Studio
O = Output	Mindshift Director



HOLISTIC

The multiple-perspective, multiple stage process is also holistic in that it balances the perspective of the audience with that of the thought leader and the detached observer.

The THAUT Process also holistically balances sensory systems between

auditory (Audience Attunement), visual (Thought Leadership Studio) and kinesthetic (MindShift Director).

Thirdly, it balances, respectively, the modes of passive, creative, and active.

Audience Attunement is about the point of view of those you influence. The empathy gained helps ensure the impact on them is positive and helps them better fulfill their higher values.

Thought Leadership Studio is the inspirational view from where you are leading the audience to. It is the perspective of the leader, encouraging an audience to embrace a new vision.

Mindshift Director takes in both beginning and endpoint from a more distant, less attached perspective. It's like how walking enough distance from a bridge enables seeing both sides of it in balance.

ARCHITECTURE

The THAUT process provides an architecture for large scale positive influence with a set of models as construction materials.

These models include:

- The 9 Building Blocks of a Thought Leadership Model
- The 7 Levels of Learning and Influence
- The 5 Prerequisites to Strategic Thought Leadership
- The Systems Concept of Elevated Pullfillment

STRATEGIC THOUGHT
LEADERSHIP
TERMINOLOGY IS
AVAILABLE FOR STUDY AT
THE GLOSSARY OF
STRATEGIC THOUGHT
LEADERSHIP DEFINITIONS.

UNDERLYING

This architecture is largely invisible and serves as a "back-story" that has the necessary unconscious impact to lead an audience to a new point of view, a new belief.

This multiple level
communication is
necessary for creating the adoption of new mental models as belief systems are largely unconscious.

THOUGHT LEADERSHIP

The end result being true thought leadership - empowering an audience

to enrich their lives
through embracing a new
mental model.

The THAUT Process brings
power and effectiveness to
marketing & PR
campaigns, business
leadership, social change,
and any other area that
benefits from large-scale,
positive influence.

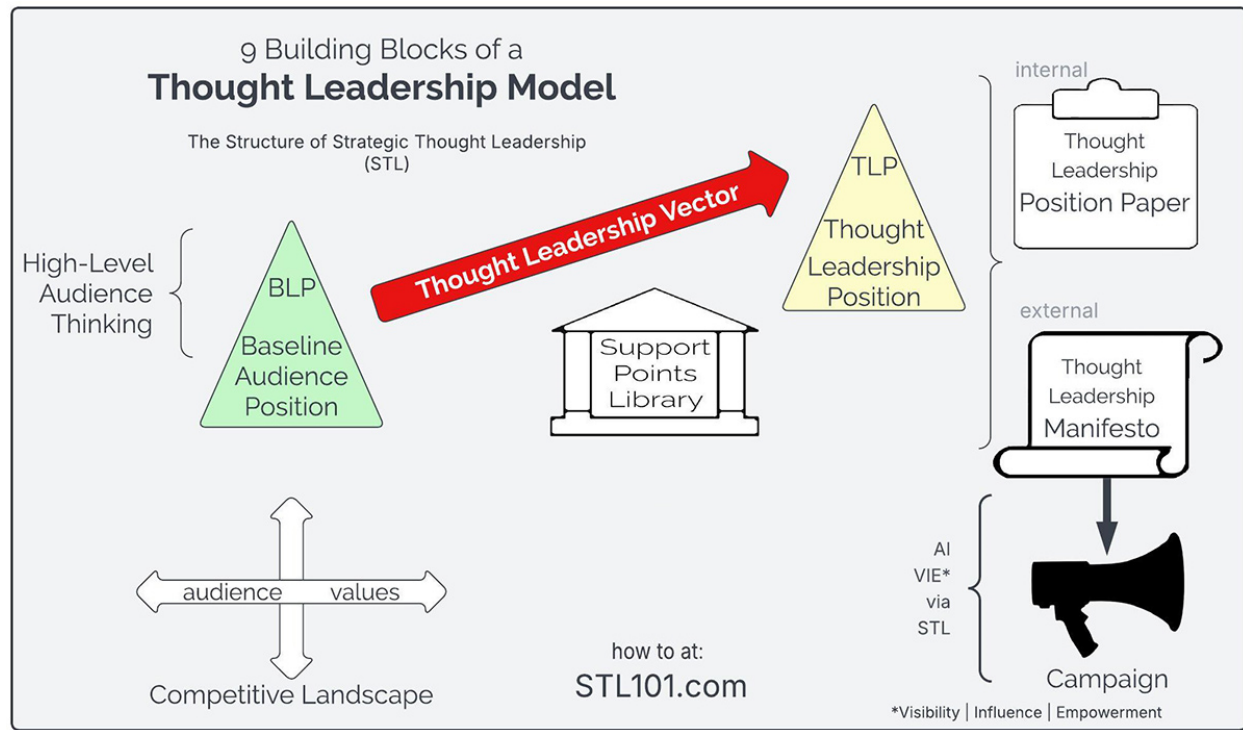
Want to enhance your
marketing, persuasion, or
campaign with the THAUT
Process? [Click this link for
a Free 30:00 Thought
Leadership Discovery
Meeting on Zoom.](#)

NEW FOR 2025 FREE OFFERS

1. Make
AI
your



(D2) Graphic from the 9 Building Blocks of a Thought Leadership Model



- **What can be seen in infographic:**

- Audience Values are basis = competitive landscape
- Pivoting on higher values, using multiple perceptual positions for empathy, and adding new mental models as additional choices not available before = it's about Empowerment, not Manipulation
- Audience Baseline Position (ABP or BLP) = current thinking
- Thought Leadership Position (TLP) = new thinking designed to better fulfill higher values
- Support Points Library = talking points developed from language patterns of persuasion that undermine the old thinking of the ABP and support the new thinking of the TLP both consciously and unconsciously
- Position Paper = Internal Talking Paper for Campaign Guidance and Coherence
- External Manifesto could be eBook like Respectful Reach
- Campaign brings it to life through media and amplification

(D3) Publicly Accessible Plaintiff's Opposition to Motion for PO of Confidentiality Order from 2021 Case, also with SAC 181, LLC as Defendant

- (D3.1) Raw Motion
- (D3.2) Screenshot of Trello Card Used at Time for Thaut Process (simplified)
- ABP → TLP
- Model Mover language pattern shown

**(D3.1) Following: Raw Filing from Pre-AI that used Thaut Process:
Opposition to Motion for PO**

IN THE COMMON PLEAS COURT OF CHARLESTON COUNTY

STATE OF SOUTH CAROLINA

James Christopher McNeil)
Petitioner/Plaintiff,)
V.) CASE NO: 2021-CP-10-02237
Comcast of Carolinas,)
Dominion Energy South Carolina, Inc.,)
SAC 181, LLC, and)
Roadstead Management, LLC)

FILED
2021 SEP 30 PM 1:04
JULIE J. ANASTASIOU
CLERK OF COURT

PLAINTIFF'S OPPOSITION TO DEFENDANTS' JOINT MOTION FOR A PROTECTIVE ORDER
OR CONFIDENTIALITY ORDER

INTRODUCTION

The Defendants' Motion for a Protective Order or, in the Alternative, a Confidentiality Order, seeks to prevent the public disclosure of all discovery in this case. With their Motion, The Defendants aim to claim the right to deem what is confidential.

The Defendants' collectively claim, "However, after several attempts to reach an agreement, Plaintiff has been unwilling to consent to a Confidentiality Order." However, Plaintiff has been clear that it is the undue overly broad scope of this Confidentiality Order that is the issue.

Giving the Defendants the right to deem what is confidential with this overly broad order is not consistent with Fed. R. Civ. P. 26(c): "A party asserting good cause bears the burden, for each particular document it seeks to protect, of showing that specific prejudice or harm will result if no protective order is granted."

The need to avoid specific prejudice or harm could be better met by the Defendants having to file separate motions for protective orders for each instance.

BACKGROUND

In this case, The Plaintiff argues that he suffered an electrical shock injury due to the negligence and gross negligence of the Defendants. There is a strong public interest component due to the large scale services some of The Defendants provide that are intertwined with the inherent dangers of potentially lethal voltage in home electrical wiring.

There is a strong precedent for the need for public disclosure in such cases of public interest. To quote Bailey from *Fighting Protective and Secrecy Orders*, as presented at the 1 AAJ 2013 Annual Convention, "Secrecy allows wrongdoing to continue, prevents victims from knowing they may have a viable legal claim, and undermines trust in the justice system."

LEGAL STANDARD

The need for good cause "creates a rather high hurdle," *Baron Fin. Corp. v. Natanzon*, 240 F.R.D. 200, 202 (D. Md. 2006), so the moving party "may not rely upon 'stereotyped and conclusory statements'" to establish good cause.

From *Ex parte Capital U-Drive-It*, 369 S.C. 1, 630 S.E.2d 464 (2006): "Judicial proceedings and court records are presumptively open to the public under the common law, the First Amendment of the federal constitution, and the [Open Courts provision of] the state constitution."

Further, "Broad allegations of harm, unsubstantiated by specific examples or articulated reasoning, do not satisfy the Rule 26(c) test." *Cipollone v. Liggett Group, Inc.*, 785 F.2d 1108, 1121 (3d Cir. 1986) ("Cipollone II").

ARGUMENT

1. The Defendants' primary argument is: "By entering such an order allowing Defendants to designate documents deemed to be confidential, Defendants are protected from any potential embarrassment or disclosure of proprietary information".

The Defendants' stated need for secrecy can be adequately addressed by individual orders. Appropriate individual orders will have the support of The Plaintiff. As The Plaintiff recently wrote in an email to the Defendants' representation, "I can be more flexible in agreeing to specific motions for confidentiality that are appropriately limited in scope to avoiding undue embarrassment to specific people who weren't acting with malice or disregard for safety as well as those truly needed to protect trade secrets."

As per *Waelde v. Merck, Sharp & Dohme*, 94 F.R.D. 27, 28 (E.D. Mich. 1981), "Blanket" protective orders require a particularly "heavy burden," that disclosure will create a "clearly defined and very serious injury". The Defendants' Motion clearly does not meet that standard.

2. The Defendants' motion states "Defendants do not seek to prevent Plaintiff from discovery, they simply wish to protect any material or testimony obtained by Plaintiff from being disclosed to the public."

It is not about the ease of discovery for the Plaintiff, it is about the public interest in knowing the safety hazards caused by actions of the Defendants. Backing up and seeing the bigger picture reveals that the court systems' role in corporate accountability requires a degree of

transparency. In *Weiss v. Allstate Co.* (E.D. La. No. 06-cv-3774), Public Justice representing intervenor Consumer Watchdog (then the Foundation for Taxpayer and Consumer Rights) successfully opposed Allstate's request to seal documents in a trial where a New Orleans couple won a \$2.8 million verdict against Allstate for illegally refusing a hurricane-related claim. The district court agreed the trial exhibits provide insight into the company's decision-making process and that denying public access "would directly impede FTCR's mission of educating the public about insurance practices and abuses."

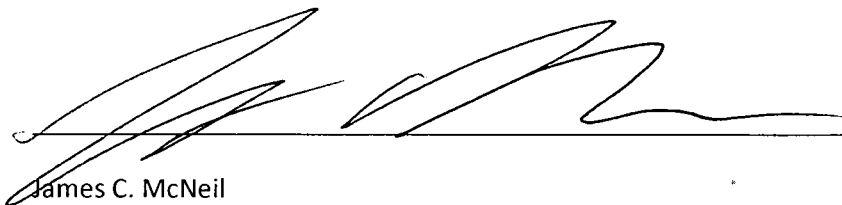
Similarly, such a broad protective order would impede public awareness of scenarios which can lead to broken neutral lines being unattended to due to a lack of adequate proactive electric line fault detection, inadequate grounding in home electrical systems, and the lack of adequate oversight over the installation of internet wiring to ensure it meets electrical safety code standards.

3. The Defendants further state, "A Protective Order or Confidentiality Order would also stop Defendants' need to file individual motions for protection as incidents or sensitive material presents itself."

In a case like this, where there is a public interest in knowing the practices of large corporations that can cause injury as happened to the Plaintiff, it is not about the economy of this particular case in avoiding the need to file individual motions, it is about the economy and effectiveness of the court system in general in deterring corporate irresponsibility thus avoiding altogether cases that can be prevented because things are safer due to enhanced accountability.

CONCLUSION

For the foregoing reasons, the Court should deny Defendants' Motion for a Protective Order or Confidentiality Order.



James C. McNeil

9-30-2021

September 30, 2021

IN THE COMMON PLEAS COURT OF CHARLESTON COUNTY

STATE OF SOUTH CAROLINA

James Christopher McNeil)
Petitioner/Plaintiff,)
)
V.) CASE NO: 2021-CP-10-02237
Comcast of Carolinas,)
Dominion Energy South Carolina, Inc.,)
SAC 181, LLC, and)
Roadstead Management, LLC)

2021 SEP 30 PM 1:06
JULIE J. ARMSTRONG
CLERK OF COURT

FILED

CERTIFICATE OF SERVICE

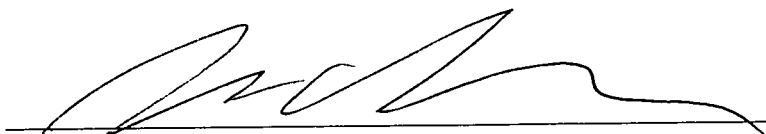
I, James Christopher McNeil, do hereby certify that I have this day served a copy of the within and foregoing pleading upon all parties to this matter via email and/or USPS to the counsel of record:

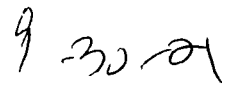
Counsel for Comcast of Carolina. Kathy A. Carlsten, Esq and Ryan W. Connor, Esq. Copeland, Stair, Kingma & Lovell, LLP 40 Calhoun St., Suite 400 Charleston, SC 29401 kcarlsten@cskl.law
rconner@cskl.law

Counsel for Dominion Energy South Carolina, Inc. David S. Cox, Esq 211 King St, Suite 300, Charleston, SC 29401 dcox@barnwell-whaley.com

Counsel for Roadstead Management, LLC Olivia Matte. Wall Templeton Attorneys, PO Box 1200, Charleston, SC 29402 Olivia.Matte@WallTempleton.com

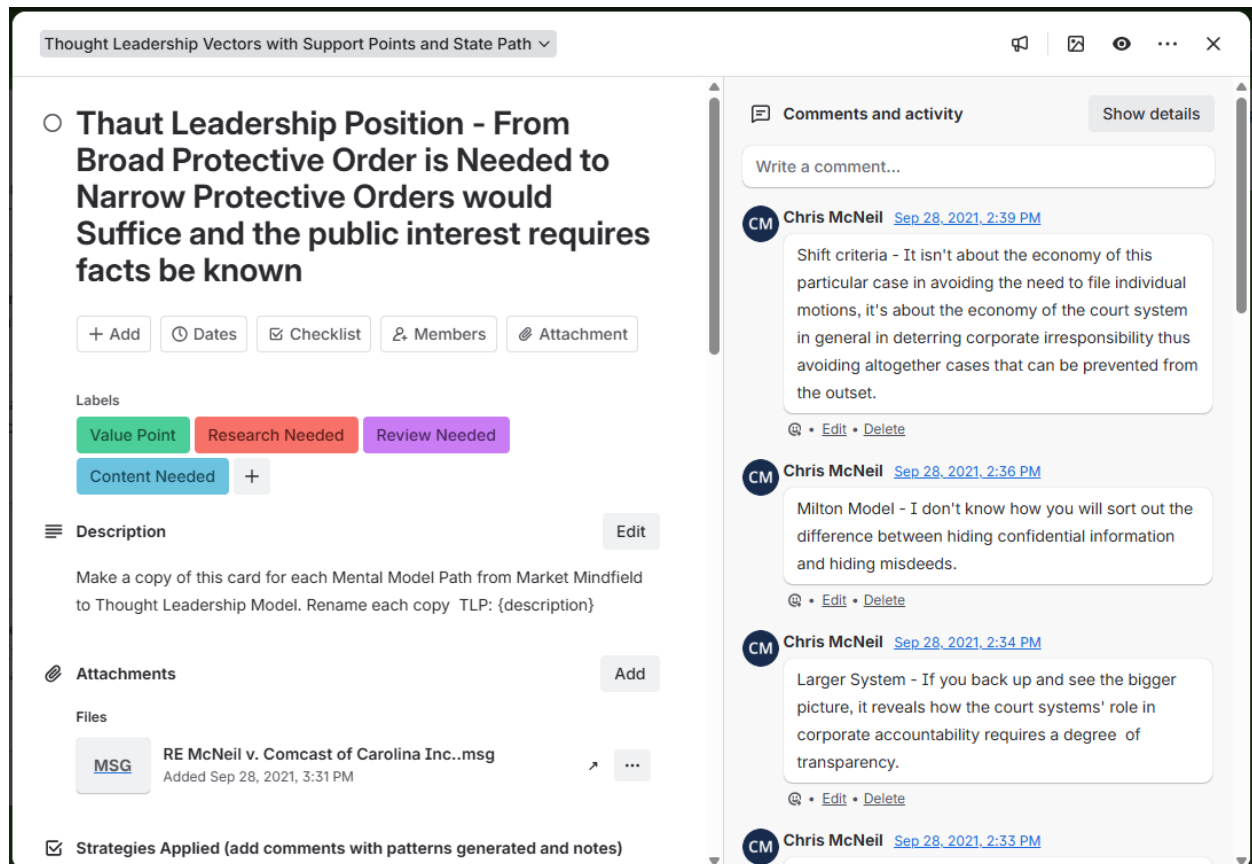
Counsel for SAC 181, LLC Charles R. Norris, Esq. Nelson Mullins, Riley & Scarborough, LLP, 151 Meeting St. 6th floor PO Box 1806 (29402-1806) Charleston, SC 29401-2239 charles.norris@nelsonmullins.com.


James C. McNeil


September 30, 2021

(D3.2) Screenshot of (Customized 3rd Party) App Used at Time for Thaut Process (2021 = Pre-AI)

This was **WITHOUT AI**: 2021 dates are visible on screenshot below from when these were generated, before ChatGPT was available.



Thaut Process Elements:

- Utilizes structure for before/after mental models: IF->THEN=MEANING, the structure behind all belief systems.
- This structure allows applying multiple “Model Mover” language patterns.
- Audience Baseline Position (ABP) - IF you have a broad protective order, THEN our clients’ reputations are protected WHICH MEANS we got the best outcome we could for them.
- Thought Leadership Position (TLP) – IF the protective order is tailored so public interest facts remain available THEN the public at large is better protected WHICH MEANS we are keeping people safer.
- Multiple Model Mover Types, including “Shift Criteria” and “Larger System” evident in passage following:

(D3.3) Section of Opposition to Motion Showing Thaut Process of Strategic Thought Leadership in Use

Snapshot of the actual filing:

It is not about the ease of discovery for the Plaintiff, it is about the public interest in knowing the safety hazards caused by actions of the Defendants. Backing up and seeing the bigger picture reveals that the court systems' role in corporate accountability requires a degree of transparency. In *Weiss v. Allstate Co.* (E.D. La. No. 06-cv-3774). Public Justice representing intervenor Consumer Watchdog (then the Foundation for Taxpayer and Consumer Rights) successfully opposed Allstate's request to seal documents in a trial where a New Orleans couple won a \$2.8 million verdict against Allstate for illegally refusing a hurricane-related claim. The district court agreed the trial exhibits provide insight into the company's decision-making process and that denying public access "would directly impede FTCR's mission of educating the public about insurance practices and abuses."

Thaut Process Model Movers Utilized (2 of more than 25 patterns available):

- **"Shift Criteria":** *"It isn't about the ease of discovery for the Plaintiff, it is about the public interest in knowing the safety hazards caused by actions of the Defendants."*
- **"Larger System"** (slightly different version visible also in preceding app screenshot): *"Backing up and seeing the bigger picture reveals that the court system's role in corporate accountability requires a degree of transparency."*

Demonstrates the Thaut Process is Powerful Positive Persuasion without AI.

AI only helps speed it up by streamlining parts of the process that require data retrieval and organization (which AI is great at) as opposed to human innovation, double-loop learning (challenging assumptions), creativity, and discernment (which humans excel at)

EXHIBIT E: THE ERRORS = FRAUD FALLACY

Purpose: Systematically demolishes the logical foundation of defense's sanctions motion.

Key Contents:

- Identification of logical fallacies:
 - False equivalence (error $\neq$ fraud)
 - Affirming the consequent
 - Burden shifting
 - Hasty generalization
 - Circular reasoning
- Analysis of unproven fraud elements
- Alternative explanations ignored by defense
- Asymmetry between defense treatment of own errors vs. Plaintiffs' errors
- Correct analytical framework for citation errors

THE "ERRORS EQUAL FRAUD" FALLACY:

LOGICAL ANALYSIS OF DEFENSE ARGUMENTS

McNeil & Poyer v. SAC 181, LLC et al.
Case No. 2025-CP-10-05095
Charleston County Court of Common Pleas

I. DEFENSE ARGUMENT STRUCTURE

Defense counsel's Motion for Sanctions rests on the following logical structure:

The Argument as Stated:

- Premise 1:** Some citations in Plaintiffs' filings contained errors.
- Premise 2:** Some citations were to cases that could not be verified, were in wrong reporters, or had mischaracterized holdings.
- Premise 3:** Such errors are "clearly fictitious and likely generated by AI."
- Conclusion 1:** Therefore, Plaintiffs committed fraud upon the court.
- Conclusion 2:** Therefore, the case should be dismissed with prejudice.
-

II. LOGICAL FALLACIES IDENTIFIED

A. False Equivalence (Error ≠ Fraud)

The Fallacy: Defense equates citation errors with intentional fraud without establishing the required elements.

Why It Fails:

Citation errors can result from many innocent causes:

Innocent Cause	Description
Research learning curve	Pro se parties learning legal database navigation
Transcription errors	Mistyping reporter citations or page numbers

Innocent Cause	Description
Misreading holdings	Understanding case differently than intended
Reliance on secondary sources	Using treatises or summaries that contain errors
Database search errors	Retrieving wrong case with similar name
Formatting mistakes	Using incorrect citation format
Time pressure*	Errors under deadline stress
Cognitive overload*	Managing multiple issues simultaneously

*deliberately aggravated by Defense Dilatory Tactics

NONE OF THESE CONSTITUTE FRAUD.

Fraud requires proof of:

1. Material misrepresentation
2. Knowledge of falsity
3. Intent to deceive
4. Reasonable reliance
5. Resulting damages

Defense has proven **ZERO** of these elements.

B. Affirming the Consequent

The Fallacy: Defense reasons: "If AI was used, citations might contain errors. Citations contain errors. Therefore, AI was used."

Logical Form:

- If P (AI used), then Q (errors exist)
- Q (errors exist)
- Therefore, P (AI used)

Why It Fails: This is a classic logical fallacy. Many things cause citation errors:

IF AI used → THEN errors possible
 IF research inexperience → THEN errors possible
 IF time pressure → THEN errors possible
 IF transcription mistake → THEN errors possible
 IF misread holding → THEN errors possible

The presence of errors (Q) does not prove any particular cause (P).

Analogy: "If it rains, the grass is wet. The grass is wet. Therefore, it rained." (Ignores sprinklers, dew, flooding, etc.)

C. Burden Shifting

The Fallacy: Defense asserts AI use "upon belief and understanding" then demands Plaintiffs disprove it.

Why It Fails:

- **Movant bears burden:** The party seeking sanctions must prove their case, not the respondent.
- **Speculation is not evidence:** "Upon belief and understanding" acknowledges lack of actual proof.
- **Negative cannot be proven:** Demanding proof of non-use of AI is like demanding proof someone didn't do something—logically impossible.

Legal Standard: Sanctions require movant to prove bad faith by clear and convincing evidence, not respondent to disprove speculation.

D. Hasty Generalization

The Fallacy: Defense extrapolates from some citation errors to conclude the entire filing is fraudulent.

Why It Fails:

- Citation errors appeared in **some** citations
- The **substantive arguments** may be entirely valid regardless of citation format
- The **underlying legal principles** cited may be correct even if sourcing is imperfect
- **Most** of the filing may be accurate and well-founded

One rotten apple does not spoil the entire orchard. Citation errors in two filings do not invalidate claims of security deposit theft, document forgery, and privacy violations.

E. Appeal to Consequences (Disproportionate Remedy)

The Fallacy: Defense seeks maximum punishment (dismissal with prejudice) without establishing proportionality.

Why It Fails:

Alleged Misconduct	Typical Remedy	Defense Requested Remedy
Citation errors in filings	Opportunity to correct; admonishment	Dismissal with prejudice
Possible AI use (unproven)	If problematic, correction order	Dismissal with prejudice
"Fraud upon court" (unproven)	If proven, sanctions proportional to harm	Dismissal with prejudice

The requested remedy is wildly disproportionate to the alleged conduct, even if that conduct were proven (which it has not been).

F. Begging the Question (Circular Reasoning)

The Fallacy: Defense's argument assumes what it seeks to prove.

The Circular Logic:

1. Pro se parties cannot produce sophisticated work
2. This work is sophisticated
3. Therefore, it must be AI-generated
4. AI-generated citations are unreliable
5. Therefore, this work is fraudulent
6. Because pro se parties cannot produce sophisticated work

Why It Fails: Premise 1 is the very thing in dispute. Defense cannot assume pro se incompetence to prove pro se incompetence.

III. THE REQUIRED ELEMENTS OF FRAUD: UNPROVEN

Fraud Upon the Court Standard

To establish fraud upon the court warranting dismissal, defense must prove:

Element	Definition	Defense Evidence	Verdict
Material Misrepresentation	False statement of significant fact	Citation errors in filings	X NOT PROVEN: Citation errors are formal, not substantive
Knowledge of Falsity	Knowing the statement was false when made	"Upon belief and understanding"	X NOT PROVEN: No evidence Plaintiffs knew citations were wrong
Intent to Deceive	Purpose to mislead the court	None offered	X NOT PROVEN: Research error $\neq$ intent to deceive
Reasonable Reliance	Court relied on false statement	None alleged	X NOT PROVEN: No showing court relied on specific citations
Resulting Damages	Harm caused by reliance	None alleged	X NOT PROVEN: No harm demonstrated

Defense has failed to establish ANY required element.

IV. ALTERNATIVE EXPLANATIONS IGNORED

Defense's motion fails to consider (or deliberately ignores) innocent explanations for citation errors:

A. Pro Se Learning Curve

Plaintiffs are self-represented, learning legal research methodology in real-time. Citation verification is a skill developed through practice and training that attorneys receive but pro se parties must acquire independently.

B. Defense-Created Pressure

As documented in Exhibit B, defense counsel's dilatory tactics created time pressure and cognitive load:

- Discovery responses 17+ days overdue
- Multiple motions requiring response
- Protective order gamesmanship
- Intimidation requiring careful response

Defense cannot manufacture crisis then criticize error rates within that crisis.

C. Resource Constraints

Unlike law firms with research departments, paralegals, and established verification processes, pro se parties work alone with limited resources. Citation errors in this context reflect resource constraints, not fraud.

D. Database Limitations

Legal research databases are imperfect. Cases may be miscategorized, search results may return similar but incorrect cases, and secondary sources may contain errors that propagate.

V. DEFENSE'S OWN ERRORS: THE ASYMMETRY

While seeking dismissal for Plaintiffs' citation errors, defense counsel's own conduct includes:

Defense Conduct	Nature of Error	Sanction Sought by Defense
Misrepresented service status	Factual error to court	None acknowledged
Misrepresented Plaintiff consent on continuances	Factual error to court	None acknowledged
Discovery responses 78+ days overdue	Procedural violation	None acknowledged
Filed motion on speculation ("upon belief and understanding")	Factual basis lacking	None acknowledged

This asymmetry reveals the true nature of the motion: not good-faith protection of judicial integrity, but bad-faith attempt to exploit citation errors while ignoring their own misconduct.

VI. THE CORRECT ANALYSIS

A. Citation Errors ≠ Fraud

Citation errors, standing alone, do not constitute fraud. They are procedural imperfections that occur routinely in litigation, particularly by pro se parties and even by experienced attorneys.

Proper Response to Citation Errors:

1. Opposing party notes errors in two filings
2. Court may disregard improperly cited authority
3. Party may be given opportunity to file correction
4. In egregious cases, admonishment or monetary sanctions

Improper Response to Citation Errors:

- Dismissal with prejudice (reserved for willful, serious misconduct)
- Allegations of fraud without proof of fraud elements
- Speculation about methods ("AI") without evidence

B. AI Use (Even If Proven) ≠ Fraud

Even if Plaintiffs used AI tools (which is not established), nor even relevant to this point, such use would not constitute fraud:

- AI tools are widely available and increasingly common
- No South Carolina rule prohibits AI assistance for pro se parties
- The issue is accuracy, not methodology
- Attorneys use AI tools without sanction

C. Sophistication ≠ Fraud

Sophisticated work product by pro se parties reflects effort, not impropriety:

- Many successful pro se litigants produce sophisticated filings
- Self-taught expertise is legitimate
- Professional background can explain sophistication
- Consistent methodology across time proves capability

VII. CONCLUSION

Defense counsel's Motion for Sanctions fails because it:

Deficiency	Analysis
Rests on logical fallacies	False equivalence, affirming consequent, burden shifting, hasty generalization, circular reasoning
Lacks evidentiary foundation	"Upon belief and understanding" = speculation

Ignores fraud elements	Zero of five required elements proven
Seeks disproportionate remedy	Dismissal for citation errors
Ignores alternative explanations	Learning curve, defense pressure, resource constraints
Reflects asymmetric standards	Defense errors ignored; Plaintiff errors = dismissal

The motion should be denied and sanctions considered against defense counsel for filing a frivolous motion designed to harass rather than protect legitimate interests.

Respectfully submitted this 24th day of November, 2025,

A handwritten signature in black ink, appearing to be 'Chris McNeil', written in a cursive, flowing style.

James C. ("Chris") McNeil and on behalf of Meaghan Poyer
Plaintiffs, Pro Se

END OF EXHIBIT

EXHIBIT F: DEFENSE NOVEMBER 3, 2025 EMAIL

Purpose: Primary evidence of defense counsel's pattern of condescension and status-based assumptions.

Note: This document was already filed by defense counsel as Exhibit A to their Motion for Sanctions. Plaintiffs incorporate it by reference and provide analysis in Exhibit A.

Key Statements (see Exhibit A for full analysis):

- Lectures on Rule 11 usage
- Accusations of AI use without evidence
- Dismissal of Plaintiffs' analytical work
- Threats of extraordinary certification requirements

From: [Justine Tate \(5311\)](#)
To: [Kevin O'Brien \(5302\)](#); [chris thaut.io](#); [Alicia Bolyard](#); [C&M McNeil](#); [cmanning@rlattorneys.com](#)
Cc: [Kelsi Sigler](#); [Kaylie Stapleton](#)
Subject: RE: Voicemail Regarding McNeil & Poyer v. SAC 181, LLC et al. (Case No. 2025-CP-10-05095)
Date: Monday, November 3, 2025 3:22:49 PM

Hi Mr. McNeil,

We respond to your note below as follows.

First, yes, we are aware of pro se plaintiffs' response opposing our Motion to Dismiss. We filed our Motion to Dismiss in response to the only currently pending pleading on record. Your motion for leave to amend your complaint does not moot our Motion to Dismiss. With regard to your Motion for Leave to Amend, we plan to oppose such motion and believe that the Court will deny it (based upon futility as it would be subject to a motion to dismiss and/or for a more definite statement).

Second, as for discovery purportedly issued by pro se plaintiffs, it is our understanding that, at some point, pro se plaintiffs attempted to issue written discovery to Defendant SAC in this matter. As we advised you in a prior e-mail, it has not been served upon us as counsel of record to date (other than the Requests for Admission issued on 10/31) and thus, we wanted to note that we do not consider any such written discovery served on SAC. It is our further understanding that, at some point in time, such requests were emailed to Mr. Pettis, who is not counsel of record for SAC (and never was) because he never made a notice of appearance in this case. There is also no Certificate of Service reflecting service on us as counsel for Defendant SAC or Defendant SAC's registered agent. Thus, any such e-mail correspondence attempting to serve discovery did not start the 35 day clock. As counsel of record for Defendant SAC, we are happy to accept service of any written discovery pro se plaintiffs wish to propound on Defendant SAC going forward (in addition to the Requests for Admission), should you elect to do so.

We reached out to you last week to short cut some of these things, but if you and/or Ms. Poyer do not wish to chat with us, so be it. Below is what

we planned to discuss.

1. We would caution the continued and purported use of SCRCP Rule 11 allegations in motions and pleadings when it is not a rule that you understand and has very particular consequences.
2. We caution you and Ms. Poyer labeling filed motions as “emergency” motions. We are confident that the Court does not view your motions as an “emergency.” This is a very specific designation saved for unique and particular circumstances, including grave risk to life and limb. That is not the case here. We are certain that a Court not only would agree with us, but also does not take kindly to such an overuse of this designation. Please consider this our good faith conference on the issue. We request that you withdraw all alleged motions that have been labeled as “emergency.” If you choose not to do so, and we reserve all rights to seek appropriate recourse (or the Court may act on its own).
3. We are not prepared to discuss any potential settlements at the policy limits or above those limits for many reasons, but, namely, there is absolutely nothing to suggest that pro se plaintiffs’ claims are valued anywhere near the policy limits in this case, irrespective of any purported “jury risk analysis” you may have presented. We do not agree with this analysis, nor have we seen any such analysis in our legal research. In that regard, please understand that some of the documents you have had created (we expect from AI) and some of the jargon you are using thinking that it is common amongst lawyers in the area are not actually documents and/or jargon used.
4. In that at regard, we caution that AI generated documents and any attempted use of AI generated information or legal analysis or use of verbiage in the legal profession are not always correct/accurate. Thus, we further caution your and Ms. Poyer’s use of AI generated information in papers filed with the Court. We also encourage you to research what has happened to lawyers in this profession who have used AI generated research and information in their filings and the ramifications the Court has imposed as a result. We intend to ask the Court to require certifications regarding any use by anyone in this

case of AI for anything filed with the Court or served under the Rules of Civil Procedure.

If, upon reading this, you have changed your mind and would like to or are willing to talk, we would still be happy to discuss these issues and try to streamline things. If not, you have been advised of the above outline of issues we intended to discuss.

Thanks,
Justine

Justine M. Tate

Phelps Dunbar LLP
4300 Edwards Mill Road
Suite 600
Raleigh, NC 27612
Direct: 919-789-5311
Fax: 919-789-5301

Email: justine.tate@phelps.com

Please note our recent change of address.

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From: chris thaut.io <chris@thaut.io>

Sent: Monday, November 3, 2025 12:58 PM

To: Kevin O'Brien (5302) <Kevin.O'Brien@phelps.com>

Cc: Justine Tate (5311) <Justine.Tate@phelps.com>; Alicia Bolyard <abolyard@rlattorneys.com>; Kelsi Sigler <ksigler@rlattorneys.com>; Kaylie Stapleton <kstapleton@rlattorneys.com>; C&M McNeil <mcneilandpoyer@gmail.com>

Subject: Voicemail Regarding McNeil & Poyer v. SAC 181, LLC et al. (Case No. 2025-CP-10-05095)

Mr. O'Brien,

Thank you for your voicemail message of Friday, October 31, 2025 (received at 3:26 PM), left jointly with Ms. Tate regarding McNeil & Poyer v. SAC 181, LLC et al.

You mentioned the Motion to Dismiss filed on October 29, 2025. I assume you are aware of our October 30, 2025, Response in Opposition and Cross-Motion to Grant Leave to File Second Amended Complaint, which addresses it comprehensively (attached for reference).

Even without the pending Second Amended Complaint, the current Amended Complaint adequately states valid claims against SAC 181 under South Carolina's notice pleading standards, including fraud through agency (Count II; ¶¶37-45), retaliatory conduct (Count IV; ¶¶59-63; § 27-40-910), and negligence via non-delegable duties (Count V; ¶¶14-15, 68-71). The proposed Second Amended Complaint further advances these claims on the merits with additional specificity and evidence. Even if the AC wasn't sufficient, which it is, the 2AC renders SAC 181's Partial MTD and MDS moot under Rule 15(a), SCRCPP. Further delay in filing an Answer via these motions appears dilatory absent a strong evidentiary basis and may warrant sanctions under Rule 11 if not grounded in fact or law.

Further, I affirm the need for complete, truthful, and non-evasive responses from SAC 181, LLC in their responses to Plaintiffs' First Set of Interrogatories and Requests for Production of Documents (served October 3, 2025), and the Requests for Admission served October 31, 2025 .

I'm happy to discuss case management issues via email to ensure a clear record for all parties. However, while I appreciate the offer, I do not see a need for a phone call currently, given the reported policy limits and coverage reservations for SAC 181, LLC. Any meaningful settlement discussion with insurance-assigned counsel would require owner-level authorization to discuss parameters above policy limits at the range of JRA5 or higher, especially given that the upcoming JRA6 widens the analysis to systemic conduct patterns with broader implications.

If you have such approval for owner contributions, please confirm in writing, and we can schedule a call. Otherwise, if there are specific procedural matters that you'd like to address, please outline them via email, and I'll respond.

Respectfully,

Chris McNeil

James C. McNeil & Meaghan Poyer

Plaintiffs Pro Se

PO Box 30386

Charleston, SC 29417

Email: chris@thaut.io; mcneilandpoyer@gmail.com

Telephone: (843) 818-3495

EXHIBIT G: DEFENSE OBSTRUCTION AND DISCOVERY VIOLATIONS

Purpose: Chronological documentation of defense discovery failures.

Includes:

- G1 Timeline of obstruction
- G2 Docket Activity Causation Analysis

(G1) TIMELINE OF DEFENSE OBSTRUCTION AND DISCOVERY VIOLATIONS

For Section I of Exhibit H (to precede the Docket Activity Causation Analysis):

SECTION I: TIMELINE OF DEFENSE OBSTRUCTION AND DISCOVERY VIOLATIONS

McNeil & Poyer v. SAC 181, LLC et al. — Case No. 2025-CP-10-05095

PHASE 1: PRE-DEADLINE POSITIONING (September 15 – November 2, 2025)

DATE	DEFENSE ACTION	STRATEGIC PURPOSE
Sept 15, 2025	Eric Pettis accepts service of Amended Complaint for SAC 181, LLC	Establishes answer deadline.
Oct 3, 2025	Plaintiffs serve First Set of Discovery on all Defendants via Pettis	Deadline set: November 7, 2025 (30 days + 5 for email service per SCRCP)
Oct 9, 2025	Bolyard, counsel for Meridian Residential Group and Tara and Adam Bayles (as individuals) files grossly deficient Answer to Amended Complaint	Avoid substantive response, create massive amount of work for Plaintiffs (over 50 hours to create Rule 11 Motion for Sanctions filed October 29, after giving 12 days to remedy.
Oct 15, 2025	Tate & O'Brien (Phelps Dunbar) file Notices of Appearance for SAC 181 - 30 days after Pettis accepted service	Defense later claims "discovery not served on counsel of record" as Pettis never appeared on docket, yet the basis for their role is Pettis accepting service for the AC September 15.
Oct 16, 2025	Bolyard (Meridian counsel) attempts to bar Plaintiffs from contacting Adam Bayles as MRG Registered Agent. Plaintiffs immediately correct with statutory citation	Obstruct proper service on MRG Investing Company, LLC
Oct 29, 2025	SAC 181 files Motion to Dismiss	Filed on day SAC 181, LLC Answer due (per extension request granted to insurance agent Gladys Lambert of IPG to seek new counsel)
Oct 31, 2025	O'Brien & Tate leave voicemail about Motion to Dismiss. No mention of discovery due in one week	Create appearance of cooperation while avoiding acknowledgment of impending deadline

PHASE 2: DEADLINE EVASION (November 3 – November 10, 2025)

DATE	DEFENSE ACTION	STRATEGIC PURPOSE	DAYS PAST DEADLINE
Nov 3, 2025	Tate email claims discovery "has not been served upon us" despite Pettis accepting service on their client's behalf Sept 15	Create false justification for non-compliance	Day -4
Nov 3, 2025	Same Tate email: "cautions" Plaintiffs on AI use, Rule 11, and "emergency" motions— 3 separate Rule 4.3 violations in single communication	Intimidate pro se Plaintiffs; violate ethical prohibition on giving legal advice to adverse unrepresented parties	Day -4
Nov 6, 2025	O'Brien email: "I have been a licensed attorney for 24 years"—argues Pettis "was never counsel of record"	Weaponize credentials; advance logically inconsistent position (if true, SAC 181's answer deadline would also be invalid)	Day -1
Nov 7, 2025	SAC 181 files Motion for Protective Order and Stay of Discovery— on the discovery deadline	File motion to avoid producing discovery on the production deadline	Day 0
Nov 7, 2025	Meridian Defendants (Bolyard) miss discovery deadline entirely—no response, no motion, complete silence	Avoid discovery obligations through strategic silence	Day 0
Nov 10, 2025	SAC 181 files "AI Paranoia" Motion for Case Management Order— same day as Plaintiffs' Motion to Compel	File frivolous motion to distract from discovery obstruction; harass pro se Plaintiffs	Day

PHASE 3: HEARING DELAY (November 17 – November 19, 2025)

DATE	DEFENSE ACTION	STRATEGIC PURPOSE	DAYS PAST DEADLINE
Nov 17, 2025	Court schedules eleven pending motions for hearing December 19, 2025	Defendants' obstruction tactics have generated massive motion docket	Day 10
Nov 18, 2025	Tate requests continuance one day after scheduling notice ; cites unspecified "scheduling conflicts" with no details	Delay hearing on motions addressing their discovery obstruction	Day 11

DATE	DEFENSE ACTION	STRATEGIC PURPOSE	DAYS PAST DEADLINE
Nov 18, 2025	Plaintiffs state three conditions for consent: (1) expedited rescheduling, (2) no stay of discovery, (3) reservation of rights re sanctions	Prevent continuance from becoming another delay tactic	Day 11
Nov 19, 2025	Both defense camps reject all conditions ; Tate tells Court scheduler Plaintiffs "consented"— materially misrepresenting Plaintiffs' conditional response	Neutralize Plaintiffs' objections by mischaracterizing "conditional consent" as "consent"	Day 12
Nov 19, 2025	Bolyard "joins" Tate's continuance request, coordinating multi-firm delay strategy	Present united front to pressure Court into granting continuance without conditions	Day 12

CURRENT STATUS (As of November 25, 2025)

53+ days past discovery deadline—zero substantive responses from any Defendant.

PATTERN ANALYSIS

Strategic Objective: Maximize delay → minimize substantive engagement → avoid producing discovery that proves wrongdoing → wear down pro se opponents through procedural attrition.

The "Service" Shell Game:

- Pettis accepts service September 15, 2025
- SAC 181's answer deadline is calculated from that date
- Discovery served October 3, 2025 to Pettis
- New counsel appears October 15, 2025—30 days later
- New counsel claims discovery "not served on us"
- **Logical impossibility:** If Pettis was not counsel of record October 3, he was not counsel of record September 15, invalidating the very answer deadline SAC 181 relied upon

Cumulative Impact:

- 53+ days without discovery responses
- 11+ pending motions requiring Court attention
- Plaintiffs unable to adequately respond to Defendants' motions without discovery
- Resources diverted from substantive case preparation to procedural disputes
- Pro se Plaintiffs managing four law firms, six attorneys, five defendants

(G2) DOCKET ACTIVITY CAUSATION ANALYSIS

Demonstrating That Every Plaintiff Filing Was Necessitated by Defense Conduct

I. PRELIMINARY STATEMENT

Defense Counsel cites fourteen (14) Plaintiff filings since September 15, 2025 as evidence of "docket crowding." This characterization invites the Court to view Plaintiffs' activity in isolation and see it divorced from the Defense conduct that necessitated each filing. The Court's instinct to maintain an orderly docket is appropriate and respected. However, when that instinct is weaponized to punish responsive litigation while ignoring the obstruction that required the responses, it inverts the norms of fairness the Court seeks to uphold, making a deeper look into cause-effect necessary for fairness and justice.

The following table analyzes each filing, demonstrating that every single document was either: (a) a direct response to Defense obstruction, (b) necessitated by Defense misconduct or conflicts, or (c) required for basic procedural maintenance caused by Defense clients' conduct.

II. THE QUESTION THE COURT SHOULD ASK

The issue is not "how many filings did Plaintiffs make?" The issue is:

"Who is the architect of this litigation's complexity? Is it the party responding to obstruction, or the party creating it?"

If the Court sanctions Plaintiffs for responding to Defense failures while ignoring those failures themselves, it sends precisely the wrong signal: that well-resourced defendants can generate complexity through obstruction and then characterize the responses they necessitated as misconduct.

III. DETAILED FILING ANALYSIS

#	Plaintiff Filing	Defense Action/Inaction (The Cause)	Why This Filing Was Necessary
1	Amended Complaint (Sept 15, 2025)	Routine procedural right; filed upon discovery of additional facts regarding patterns and veil-piercing, adding new defendants.	STANDARD PROCEDURE. Amendments are freely granted under Rule 15(a), SCRCP. Defense cannot claim prejudice from lawful pleading practice.
2	Motion to Disqualify Counsel (Sept 19, 2025)	Original attorney Eric Pettis represented ALL defendants despite unconsentable conflicts of interest under Rule 1.7.	VALIDATED BY EVENTS. Pettis recused himself Oct 10, 2025. Three separate firms now represent defendants, confirming the conflicts Plaintiffs identified.

#	Plaintiff Filing	Defense Action/Inaction (The Cause)	Why This Filing Was Necessary
3	Notice of Change of Address (Sept 24, 2025)	Safety Risk: Discovery of unauthorized commercial exploitation of family images across (initially) 6+ rental platforms (Sept 18, 2025).	DEFENSE MISCONDUCT CAUSED THIS. Privacy violations created legitimate safety concerns requiring address redaction, verified by restraining orders filed under seal. Defense clients published images.
4	Emergency Motion for Redaction (Sept 24, 2025)	Same safety risk as #3: Images containing Plaintiffs and identifiable property details were publicly searchable.	EMERGENCY STANDARDS MET. Ongoing risk of harm from mentally unstable family member with access to searchable public records. Defense clients' conduct created the emergency.
5	Motion to Compel Insurance Disclosure (Sept 30, 2025)	Defense failed to provide insurance disclosures.	DEFENSE FAILURE. As of November 25, 2025, have not received any insurance information from Meridian Defendants. Motion was necessitated by non-responsiveness.
6	Motion for Expedited Hearing on Disqualification (Sept 30, 2025)	Attorney Pettis 'went dark' after Motion #2 - no communication, no response.	APPARENT ABANDONMENT. Defendants had no functioning counsel for weeks from Plaintiffs' point of view. Expedited hearing required to resolve representation chaos.
7	Emergency Motion for Rule 11 Sanctions (Oct 29, 2025)	Defendant Bolyard's Answer was grossly deficient, failing basic pleading standards.	DEFENSE INCOMPETENCE. Answer contained contradictions, complete lack of awareness of the paragraph responding to, and multiple other issues, wasting court resources.
8	Specific Power of Attorney (Oct 17, 2025)	Standard procedural requirement for proper representation authority; purpose – ability to expedite potential settlement.	PROCEDURAL HOUSEKEEPING. Required in case settlements moved quickly given Plaintiff Poyer's relative unavailability at time; cannot be characterized as 'crowding.'
9	Motion for Leave to File 2nd Amended Complaint (Oct 30, 2025)	New discovery: Images found after Amended Complaint filed; liability of negligent agent retention adds Charles S. Altman as defendant.	NEW FACTS CONCEALED BY DEFENSE. Required to add necessary parties and claims based on addition evidence of Defendant misconduct.
10 (na)	Emergency Motion for Rule 11 (Amended) (Oct 29, 2025) NEVER FILED	<i>Defense Counsel's failure to verify public docket before citing filings in sanctions motion.</i>	NOT A FILING. Plaintiffs served two draft versions in advance - the professional courtesy notice that Defense Counsel might consider adopting. Only one motion was filed. That Defense includes a never-filed document in their "14 filings" list reveals they compiled their accusations without

#	Plaintiff Filing	Defense Action/Inaction (The Cause)	Why This Filing Was Necessary
			checking the public record. <u>The actual count is 13.</u>
11 (10)	Notice of Filing Corrected Exhibits (Oct 31, 2025)	Plaintiffs' commitment to accuracy = voluntary correction of record.	DEMONSTRATES GOOD FAITH. Plaintiffs proactively corrected minor errors—exactly what Defense claims they want, yet now cite as 'crowding.'
12 (11)	Notice of Clarification (Oct 31, 2025)	Clerk of Court policy shift regarding address redactions.	PROCEDURAL NECESSITY. Explained Plaintiffs' redaction practice in light of changing Clerk policies. Ensures clear record.
13 (12)	Response/Cross-Motion re Leave (Nov 12, 2025)	SAC 181 filed partial Motion to Dismiss attacking Plaintiffs' right to amend.	DIRECT RESPONSE TO DEFENSE. Defense attacked Plaintiffs' amendment; response required. Defense cannot simultaneously file motions AND complain about responses.
14 (13)	Motion to Compel Discovery (Nov 10, 2025)	Defense TOTAL FAILURE: Zero discovery responses by Nov 7 deadline despite Oct 3 service.	DEFENSE STONEWALLING. 47+ days of silence. Filed Protective Order ON the deadline rather than respond. Motion to Compel was only remedy.

IV. PATTERN ANALYSIS: WHO CREATED THE COMPLEXITY?

A. Filings Caused by Defense Conflicts & Misconduct

Filings #2, #6: Motion to Disqualify and Expedited Hearing — Both caused by Defense's unconsentable conflicts of interest and subsequent attorney disengagement. VALIDATED when Pettis recused and three separate firms appeared.

B. Filings Caused by Privacy Violations

Filings #3, #4, #9: Address Change, Emergency Redaction, and Motion for Leave to File 2nd Amended Complaint - All caused by Defense clients' unauthorized commercial exploitation of Plaintiffs' family images across 21+ platforms (21 discovered as of November 25, 2025), creating new counts and safety risks.

C. Filings Caused by Discovery Obstruction

Filings #5, #14: Motion to Compel Insurance and Motion to Compel Discovery - Both caused by Defense failure to respond to properly-served discovery. SAC 181 filed a Protective Order ON

the discovery deadline rather than respond. Meridian Defendants ignored discovery entirely for 47+ days.

D. Filings Caused by Defense Pleading Deficiencies

Filings #7, #10 (IF it had actually been filed, which it wasn't), #13: Rule 11 Motions and Response to Motion to Dismiss - Caused by Defense's defective Answer (Bolyard) containing contradictions, denials of objective facts, unawareness of paragraph responding to, and SAC 181's partial Motion to Dismiss attacking Plaintiffs' right to amend.

E. Routine Procedural Filings

Filings #1, #8, #11, #12: Amended Complaint, Power of Attorney, Corrected Exhibits, Notice of Clarification - Standard litigation housekeeping that cannot legitimately be characterized as "docket crowding." Filing #11 demonstrates Plaintiffs' commitment to accuracy - the very quality Defense claims to want.

V. THE IRONY OF DEFENSE'S POSITION

Defense Counsel's November 3, 2025 email to Plaintiffs contained three separate "cautions" regarding Plaintiffs' litigation conduct—advice that violates Rule 4.3, SCRPC, which prohibits lawyers from giving legal advice to unrepresented persons whose interests conflict with the lawyer's client. Defense Counsel:

- "Cautioned" Plaintiffs about Rule 11 usage
- "Cautioned" Plaintiffs about labeling motions as "emergency"
- "Cautioned" Plaintiffs about AI tool usage

By attaching this email as an exhibit to their own sanctions motion, **Defense Counsel has placed their own ethical violations into the Court record** while simultaneously seeking sanctions against Plaintiffs for correctable citation errors made under duress they created. The double standard is stark: *Rules for thee, not for me.*

VI. CONCLUSION

Of the fourteen (14) filings cited by Defense Counsel, ZERO were frivolous. The majority were necessitated by:

- Defense's failure to manage their own conflicts of interest (#2, #6)
- Defense's failure to answer discovery (#5, #14)
- Defense's defective pleadings (#7, #10)
- Safety risks created by Defense clients' privacy violations (#3, #4, #9)
- Direct responses to Defense motions attacking Plaintiffs (#13)

The "docket crowding" is not Plaintiffs' doing - it is the predictable consequence of Defense's obstruction-first strategy. To sanction Plaintiffs for responding to that obstruction while ignoring the obstruction itself would reward the architects of complexity and punish its victims.

Respectfully submitted this 25th day of November, 2025.

A handwritten signature in black ink, consisting of a series of fluid, connected strokes. The signature is positioned above a horizontal line.

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