

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENWOOD)
)
Amanda Seymour,)
)
Plaintiff,)
)
v.)
)
Town of Ninety Six, Mayor Gregg)
Brown in his personal capacity, and)
Jimmie Brown in her personal capacity,)
)
Defendants.)

IN THE COURT OF COMMON PLEAS

Civil Action No. 2026-CP-24-00277

**ANSWER OF DEFENDANTS
TOWN OF NINETY SIX AND
MAYOR GREGG BROWN**

NOW COME Defendants, Town of Ninety-Six, and Mayor Gregg Brown (hereinafter “Defendants”), by and through undersigned counsel, and answer the Plaintiff’s Complaint, denying all allegations not specifically admitted, as follows:

PARTIES AND JURISDICTION

1. In Paragraphs 1 through 7 of Plaintiff’s Complaint, Plaintiff attempts to allege facts relevant to the identity of the parties, jurisdiction, and venue. To the extent the Plaintiff has raised a justiciable issue, Defendants believe that jurisdiction and venue are proper in this Court. To the extent that Plaintiff alleges that Defendants are liable to her in any manner, such allegations are denied.

2. Unless otherwise admitted, the remaining allegations in Paragraphs 1 through 7 of Plaintiff’s Complaint are denied.

FACTUAL ALLEGATIONS

3. Defendants incorporate their responses to the allegations in Paragraphs 1 through 7 of Plaintiff’s Complaint as if fully set forth herein.

4. In Paragraphs 8 through 29 of Plaintiff's Complaint, Plaintiff attempts to allege facts relevant to her claims. To the extent these allegations are not supported by the record established in this matter, they are denied. To the extent that Plaintiff alleges these allegations establish a basis for liability to Plaintiff on the part of any Defendant, they are denied. Unless otherwise admitted, Defendants deny the allegations in Paragraphs 8 through 29 of Plaintiff's Complaint and demand strict proof thereof.

FOR A FIRST CAUSE OF ACTION
(Payment of Wages Act – Violation of S.C. Code Ann. §§ 41-10-10 Et Seq.
(Against Defendant Town)

5. Defendants incorporate their responses to the allegations in Paragraphs 1 through 29 of Plaintiff's Complaint as if fully set forth herein.

6. In Paragraphs 30 through 39 of Plaintiff's Complaint, Plaintiff attempts to set forth allegations supporting her claim for the Payment of Wages Act. To the extent that Plaintiff alleges that Defendants are liable to her in any manner, such allegations are denied.

7. The allegations in Paragraphs 30 through 39 of Plaintiff's Complaint are denied and strict proof is demanded thereof.

FOR A SECOND CAUSE OF ACTION
(Defamation Per Se)
(against Defendant Mayor Brown in his personal capacity)

8. Defendants incorporate their responses to the allegations in Paragraphs 1 through 39 as if fully set forth herein.

9. In Paragraphs 40 through 46 of Plaintiff's Complaint, Plaintiff attempts to set forth allegations supporting her claim for Defamation. To the extent that Plaintiff alleges that Defendants are liable to her in any manner, such allegations are denied. Further, to the extent that

Plaintiff has, in fact, been unchaste and/or engaged in sexual conduct outside of marriage, her claim for defamation is barred on grounds of truth.

10. The allegations in Paragraphs 40 through 46 of Plaintiff's Complaint are denied and strict proof is demanded thereof.

FOR A THIRD CAUSE OF ACTION
(Trespass)
(against Defendant Mayor Gregg Brown in his personal capacity)

11. Defendants incorporate their responses to the allegations in Paragraphs 1 through 46 as if fully set forth herein.

12. In Paragraphs 47 through 54 of Plaintiff's Complaint, Plaintiff attempts to set forth allegations supporting her claim for Trespass. To the extent that Plaintiff alleges that Defendants are liable to her in any manner, such allegations are denied.

FOR A FOURTH CAUSE OF ACTION
Defamation
(against Jimmie Brown)

13. Defendants incorporate their responses to the allegations in Paragraphs 1 through 46 as if fully set forth herein.

14. In Paragraphs 55 through 61 of Plaintiff's Complaint, Plaintiff attempts to set forth her allegations support her claim for Defamation. To the extent that Plaintiff alleges that Defendants are liable to her in any manner, such allegations are denied.

NOW, THEREFORE, having fully answered Plaintiff's Complaint herein, the Defendants set forth their **DEFENSES AND AFFIRMATIVE DEFENSES:**

FOR A FIRST DEFENSE

1. Plaintiff has failed to state a claim for which relief can be granted, and her lawsuit must be dismissed under Rule 12(b)(6) of the South Carolina Rules of Civil Procedure.

FOR A SECOND DEFENSE

2. Plaintiff has failed to mitigate any damages she allegedly suffered, and her claims may be barred by the doctrines of “unclean hands,” *res judicata*, collateral estoppel, release, workers’ compensation exclusivity, and/or and Plaintiff’s failure to exhaust administrative remedies.

FOR A THIRD DEFENSE

3. At all times, the Defendant acted toward Plaintiff in good faith and in a reasonable manner.

FOR A FOURTH DEFENSE

4. The conduct of Defendant is not the proximate cause of the Plaintiff’s injuries, presuming Plaintiff has sustained any injuries.

FOR A FIFTH DEFENSE

5. Defendant is immune to Plaintiffs’ tort claims under the following provisions of the S.C. Tort Claims Act: S.C. Code Ann. § 15-78-20, S.C. Code Ann. § 15-78-30, S.C. Code Ann. § 15-78-60(4), S.C. Code Ann. § 15-78-60(5), S.C. Code Ann § 15-78-60(17), S.C. Code Ann. § 15-78-70, S.C. Code Ann. § 15-78-110, and S.C. Code Ann. § 15-78-120.

FOR A SIXTH DEFENSE

6. Plaintiff’s claims may be barred in whole or in part by any applicable statute of limitations.

FOR A SEVENTH DEFENSE

7. Plaintiff has failed an allege a cognizable claim under the S.C. Payment of Wages Act. Further, treble or exemplary damages are not available against a public employer under the Act.

FOR AN EIGHTH DEFENSE

8. To the extent the Individual Defendants are found to have violated any law or duty as alleged, the fact of which is expressly denied, Plaintiff is not entitled to recover liquidated, exemplary or punitive damages because the Individual Defendants did not commit any alleged willful, oppressive, fraudulent or malicious acts, or act with reckless indifference to Plaintiff's rights.

FOR A NINTH DEFENSE

9. The Individual Defendants' actions were not the proximate cause of any damages allegedly sustained by Plaintiff, which damages were caused by the intervening acts or omissions of third parties over whom the Individual Defendants had no authority or control.

FOR A TENTH DEFENSE

10. The Individual Defendants deny engaging in any type of defamatory conduct with regard to Plaintiff, and furthermore, assert absolute privilege, qualified privilege, truth, lack of malice, and lack of publication as defenses and/or affirmative defenses to any such claim by Plaintiff.

FOR AN ELEVENTH DEFENSE

11. Plaintiff's claims for damages are barred to the extent he failed to mitigate her alleged damages.

FOR A TWELFTH DEFENSE

12. That to the extent this action is one seeking to collect punitive damages brought against this Defendant, such an action for punitive damages is barred as a matter of law for a number of reasons, including but not limited to: the due process clause of the Fifth Amendment as applied to the states through the Fourteenth Amendment to the United States Constitution; an

arguable extension of the prohibition of the excessive fines clause of the Eighth Amendment, as applied to the states through the Fourteenth Amendment; an arguable extension of the provisions of the Sixth Amendment to the United States Constitution, made applicable to the states through the Fourteenth Amendment; the South Carolina Tort Claims Act; relevant provisions of the South Carolina Constitution, including, but not limited to, Article I, Section 3; all of which are asserted as bars to recovery of punitive damages against the Defendants.

That, moreover, as the present case and statutory law standard to measure and confer power to a jury to award punitive damages under South Carolina law has not been formulated to comport with federal or state constitutional rights and guarantees, lacks objective criteria, lacks a meaningful standard, is void for vagueness, and violates constitutional due process and equal protection procedural protection; and award of punitive damages would violate this Defendant's constitutional rights and guarantees.

That further, Defendants would show that any award of punitive damages is subject to the limitations set forth in S.C. Code Ann. §15-32-530.

That further, the Plaintiff has failed as a matter of law to state a claim for which punitive damage relief is available against this Defendant.

WHEREFORE, having fully answered the Plaintiff's Complaint herein, Defendants pray for an Order of this Court as follows:

1. The relief sought by the Plaintiff be denied in every respect.
2. The claims asserted by the Plaintiff be denied in every respect.
3. The claims asserted by the Plaintiff be dismissed in their entirety with prejudice.

Dated this the 7th of May, 2026.

Respectfully submitted,

RICHARDSON PLOWDEN & ROBINSON, P.A.

s/Eugene H. Matthews

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