

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

William G. Herbkersman

Plaintiff,

vs.

Lee Granade; David Hucks;
MyrtleBeachSC News d/b/a
MyrtleBeachSC.com

Defendants.

IN THE COURT OF COMMON PLEAS
FOR THE FOURTEENTH JUDICIAL
CIRCUIT

Case No. 2024-CP-07-_____

SUMMONS
(Defamation)

Jury Trial Demanded

TO THE DEFENDANTS ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your Answer to said Complaint upon the subscribers at their offices at Post Office Box 8008, Hilton Head Island, South Carolina, 29938, **within thirty (30) days** of service hereof upon you, exclusive of the day of such service, and, should you fail to answer the Complaint within the time aforesaid, the Plaintiffs shall apply to the Court for the relief sought in the Complaint.

/s Gregory M. Alford

Gregory M. Alford (#6932)

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Attorney for Plaintiff

January 12, 2024

Hilton Head Island, South Carolina

STATE OF SOUTH CAROLINA

COUNTY OF BEAUFORT

William G. Herbkersman

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Case No. 2024-CP-07-_____

COMPLAINT
(Defamation)

Jury Trial Demanded

The above-named Plaintiff, complaining of the Defendants herein, would respectfully show the Court:

1. The plaintiff is a citizen and resident of Beaufort County, South Carolina.
2. Defendant Lee Granade is a resident of Beaufort County, South Carolina.
3. Defendant David Hucks is a resident of Horry County, South Carolina.
4. Defendant MyrtlebeachSC News d/b/a MyrtleBeachSC.com (hereinafter

“MyrtleBeachSC News), is an entity or organization organized in and subject to the laws of South Carolina which has its primary place of business in Horry County, South Carolina and operates as an internet news and media entity that reaches throughout the State of South Carolina and beyond.

5. The Court of Common Pleas in Beaufort County, South Carolina has both subject matter and personal jurisdiction over all parties and is the proper jurisdiction.

Factual Allegations

6. On or about January 4, 2024, Defendant Lee Granade wrote, uttered and published an article entitled “Lawmaker that threatened Constituent with Arrest for exposing his dirty laundry Now Said to be Reconsidering his Political Future.” (hereinafter the “Article”). The Article

contained false and defamatory statements about Plaintiff which Defendants knew or should have known were false and defamatory. The Article was written with a reckless disregard for the truth and with actual malice.

7. On January 4, 2024, Defendant MyrtleBeachSC News published the Article on its internet site which included, repeated and emphasized comments and statements about the Plaintiff that were false and defamatory. The Article was published in reckless disregard for the truth and with actual malice and with the improper intent to improperly influence the Plaintiff.

8. Defendant Hucks is upon information and belief, the owner and managing editor of MyrtleBeachSC News and as such is responsible for editing and vetting and controlling the content of MyrtleBeachSC News. In approving and publishing the Article, Defendant Hucks did so with a reckless disregard for the truth or falsity of the subject matter of the Article and with actual malice towards the Plaintiff.

9. Plaintiff is an elected official in the South Carolina Legislature representing House District 118. Plaintiff has held this seat for over 20 years. The Article purports to report on a text and email exchange between Plaintiff and a vocal public critic who threatened Plaintiff with a false, defamatory and malicious publicity campaign, unless Plaintiff withdrew his re-election bid for House seat 118.

10. The Article also contained some of Plaintiff's responses which made clear that Plaintiff was not reconsidering his political future and would not withdraw his candidacy, but was instead seeking to hold the public critic accountable for the statements.

11. The Defendants published these false accusations in the Article by written word to members of the business and social community in which the Plaintiff conducts business and makes his livelihood.

12. These various communications by Defendants to the public have accused the Plaintiff of being unfit in his business and profession and of being a criminal. The statements, both spoken and written, have had the effect of reducing Plaintiff's character and reputation in the estimation of his friends, acquaintances, and the public, and have disgraced him, rendered him odious, contemptible, and ridiculous.

13. Said statements are clearly and convincingly both libelous and slanderous, *per se*.

14. The Defendant's actions and words were recklessly made, malicious, and calculated to cause Plaintiff harm.

15. As a direct and proximate result of the Defendant's actions and the unprivileged publication of false information to third parties by the Defendant about the Plaintiff, the Plaintiff has been damaged and caused to sustain embarrassment, humiliation, loss of reputation, mental anguish, and loss of income. Plaintiff is informed and believes that the damages will continue indefinitely in the future.

16. The Plaintiff is informed and believes that he is entitled to an award of actual and punitive damages from the Defendant as a result of Defendants actions.

WHEREFORE, Plaintiff prays for judgment against the Defendant as follows:

- a. For an injunction requiring Defendants to remove the Article and to Retract the false, malicious and reckless statements contained therein;
- b. For actual and punitive damages;
- c. For attorney's fees and costs; and

- d. For such further relief as this Court may deem just and proper.

/s Gregory M. Alford
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Attorney for Plaintiff

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