

conditions, including a designation of the time or place; (3) that the discovery may be had only by a method of discovery other than selected by the party seeking discovery; (4) that certain matters not be inquired into or that the scope of the discovery be limited to certain matters; (5) that discovery be conducted with no one present except persons designated by the court; (6) that a deposition after being sealed be opened only by order of the court; (7) that a trade secret or other confidential research, development, or commercial information not be disclosed or be disclosed only in a designated way; (8) that the parties simultaneously file specified documents or information enclosed in sealed envelopes to be opened as directed by the court.

If the motion for a protective order is denied in whole or in part, the court may, on such terms and conditions as are just, order that any party or person provide or permit discovery.

Plaintiff's counsel, on or about March 20, 2025, served upon Defendant Charles Weldon Boyd Plaintiff's 1st Set of Interrogatories and 2nd Set of Requests For Production. On the same date, Plaintiff's counsel served upon Defendant Kenneth Williams Plaintiff's 1st Set of Interrogatories and 1st Set of Requests For Production. Plaintiff's attorneys have also issued subpoenas to numerous health care related providers of Defendant Charles Weldon Boyd. While Defendants and their attorneys have worked to compile much of the requested information, Defendants have not provided written responses to the propounded discovery. Based upon what Defendants believe are improper actions by the Plaintiff and her attorneys to try this case in numerous media outlets, including social media, Defendants seek this Court's intervention and order establishing limitations upon the use of any information garnered during the discovery of this case.

ARGUMENT

A. Rule 26(c) of the *South Carolina Rules of Civil Procedure* is intended to protect parties and other people from annoyance, embarrassment, oppression or undue burden.

B. Rule 3.6(a) of the *South Carolina Rules of Professional Conduct* mandates "[a] lawyer who is participating or has participated in the investigation or litigation of a matter shall not make an extrajudicial statement that the lawyer knows or reasonably should know will be

disseminated by means of public communication and will have a substantial likelihood of materially prejudicing an adjudicative proceeding in the matter.”

C. The Defendants will present to the Court as a basis for this motion the information listed below which demonstrates the Plaintiff and/or her counsel seek to acquire through both written discovery and depositions information which they intend to disseminate for the purpose of annoyance, embarrassment, oppression or undue burden on the Defendants or to improperly prejudice and bias a jury pool, based on their conduct to-date in this litigation. The following is a sampling, not an exhaustive list; and copies will be made available for the Court’s review at the hearing on this Motion.

1. The Wall Street Journal, April 17, 2025, *‘You’re Taken Care Of’: Did Police Promise to Shield a Killer?*
 - “A screenshot from a video taken during Weldon Boyd’s deposition and provided to The Wall Street Journal by Mark Tinsley.”
 - Contains quotations from testimony during Defendant Boyd’s deposition.
2. WMBF News, May 9, 2025, *“Attorney releases never-before-seen footage in HCPD’s road rage shooting investigation”*
 - “Attorney Mark Tinsley released a portion of what he claims is one of the seven dashcam videos that were mislabeled in HCPD’s investigation.”
 - “Tinsley, who represents Spivey’s sister, Jennifer Spivey Foley, also sent WMBF News never-before-seen body camera footage in the case.”
3. Jordan Ashwal subpoena return – social media message IMG_7610.png – “Tinsley texted me again. I told him I hoped the [sic] put Weldon under the jail and he said he hopes that too.”
 - Jordan Ashwal subpoena return – social media message IMG_7610.png through IMG_7635.png – Message exchange between Jordan and Mark Tinsley regarding another male individual and when she became aware of PI when she broke up with Defendant Boyd.
 - Jordan forwarding messages from Defendant Boyd, and other audio and video to Tinsley (IMG_7615.png).
 - Jordan offers to send everything she has to Tinsley (IMG_7620.png).
4. Jordan Ashwal subpoena return – social media message IMG_7625.png through IMG_7626.png – message exchange between Tinsley and Jordan discussing her custody battle with Defendant Boyd:
 - Tinsley offers “You are welcome to use anything I have.” Jordan requests Tinsley write an affidavit on her behalf saying he [Tinsley] believes Defendant Boyd is unfit.

5. Jordan Ashwal subpoena return – social media message IMG_.7634.png through IMG_7635.png – Tinsley sends Jordan information regarding a subpoena being issued to her mother [Tiffany Mixon Wilson] prior to service.
6. Tiffany [Mixon] Wilson subpoena return – social media message IMG_5950.png through IMG_5952.png – Tiffany states:
 - “... Mark Tinsley took both [Tiffany and Jordan] on as clients to fight against anymore requests....” (IMG_5950.png) (referencing the subpoena)
 - “He [Defendant Boyd] wants to know what we are saying because he knows we have been working with Tinsley and Jennifer.”
7. Tiffany [Mixon] Wilson subpoena return – social media message IMG_5956.png thru IMG_5958.png – message exchange between Tiffany and Jennifer Spivey Foley, with Tiffany advising the evidence Jordan has provided to Tinsley and offering further assistance. (IMG_5958.png)
8. Tiffany [Mixon] Wilson subpoena return – social media message IMG_6003.png – message exchange between Tiffany and Jordan, referencing arrest records:
 - Tiffany states “Course if Tinsley gets them you will have them”; and
 - “You have one damn good lawyer on your side. For free.”
9. Tiffany [Mixon] Wilson subpoena return – social media message IMG_6014.png – message exchange between Tiffany and Jordan – Jordan says Tinsley texted her wanting to know what Ken [Defendant Boyd’s attorney] told her when he called, and “He [Tinsley] asked me if the phone calls [recordings] shocked me.”
10. Tiffany [Mixon] Wilson subpoena return – social media message IMG_6049.png – Tinsley forwards to Jordan a social media post made by Defendant Boyd.
11. Tiffany [Mixon] Wilson subpoena return – social media message IMG_6051.png – message exchange between Tiffany and Jordan – Jordan states “I am going to send Spivey’s lawyer everything I have on Weldon.”

CONCLUSION

For the foregoing reasons, Defendants pray that the Court grant the Protective Order sought pursuant to Rule 26(c) of the *South Carolina Rules of Civil Procedure* and issue an order or orders that will strictly limit the recipients and use of all discovery collected in this case, by either the Plaintiff or the Defendants, pursuant to Rules 30, 33, 34, 36 & 45 of the *South Carolina Rules of Civil Procedure*.

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