

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN

CHLOE KAPLAN,

PLAINTIFF,

v.

WILLIAM DANIEL MAYES and
SHANNON E. MAYES

DEFENDANTS.

IN THE COURT OF COMMON PLEAS


2nd JUDICIAL CIRCUIT

C/A No.: 2025-CP-

SUMMONS

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 upon the subscribers at their office at Deborah B. Barbier, LLC, 1811 Pickens Street, Columbia, South Carolina, 29201, within thirty (30) days after the service hereof, exclusive of the date of such service. If you fail to answer the complaint within that time aforesaid, judgment by default will be rendered against you for the relief demanded in the complaint.

Respectfully submitted,


/s/ Deborah B. Barbier
Attorney for the Plaintiff

January 7, 2025

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COMPLAINT
(Jury Trial Requested)

COMES NOW THE PLAINTIFF, by and through her undersigned counsel of record, and brings this Complaint against the Defendants, alleging as follows:

NATURE OF THE ACTION

1. Chloe Kaplan (“Plaintiff”) brings this Complaint for damages against William Daniel Mayes (“Daniel Mayes”) and Shannon E. Mayes (“Shannon Mayes”) (hereinafter collectively referred to as “Defendants”) for injuries and damages that Plaintiff suffered due to a wrongful invasion into her private affairs that occurred beginning on or around July 9, 2021, and was caused by Defendants’ negligent and/or willful, wanton and reckless conduct.

2. Plaintiff seeks monetary damages, attorneys' fees, and costs from Defendants for Defendants' negligent, reckless, and unlawful acts, all in contravention to South Carolina law.

INTRODUCTION

3. Law enforcement began an investigation into Daniel Maye's criminal conduct in October 2024 when the Aiken County Sheriff's Office received a CyberTipline report from the National

Center for Missing & Exploited Children. Mr. Maye's Dropbox account was flagged when Dropbox personnel discovered images suspected to be child pornography. After a search warrant was executed on his personal residence in Aiken, South Carolina, numerous video recordings of nude people and children who were in a property owned by Defendants were discovered.

4. According to the warrants, Defendant Daniel Mayes admitted setting up cameras to record people and he confirmed he possessed a Dropbox account where officers located hundreds of videos.

5. Law enforcement discovered a Dropbox folder labeled "Folly HC" which contained a folder of hidden camera footage in the Defendants' Folly Beach condo which had been rented by Plaintiff. Within the "Folly HC" there were folders named "CH Kap" and "CK Bday" which were named after the Plaintiff and contained video footage of her naked and undressing while staying in Defendants' rental property. One such video contained a compilation of videos of the Plaintiff set to music and included videos of the Defendant Daniel Mayes masturbating to the videos of Plaintiff and her friends.

6. As a result of a criminal investigation into the activities of Daniel Mayes, Plaintiff only recently learned that she and her friends were surreptitiously recorded while staying in a rental property owned by Defendant Daniel Mayes and co-managed by Defendant Shannon Mayes.

7. Defendants need to be held accountable for this intolerable invasion of privacy and intentional infliction of emotional distress.

PARTIES

8. At all times relevant to this Complaint, Plaintiff, Chloe Kaplan, has been a citizen of the state of South Carolina.

9. At all times relevant to this Complaint, Defendant Daniel Mayes has been a citizen of

the state of South Carolina.

10. At all times relevant to this Complaint, Defendant Shannon Mayes has been a citizen of the state of South Carolina.

JURISDICTION & VENUE

11. The incident that is the subject matter of this case was transacted in Aiken County in South Carolina; the videos of Plaintiff were stored and viewed in Aiken County; and the Defendants are citizens and residents of Aiken County, South Carolina, and/or conducted business or owned property in Aiken County, South Carolina.

12. Jurisdiction and venue are proper in this court under S.C. Code Ann. § 15-7-30.

FACTUAL ALLEGATIONS

13. According to Charleston County, South Carolina Register of Deeds, the rental property was titled in the name of Defendant Daniel Mayes on the dates in question.

14. Plaintiff and her friends stayed at Defendants' property located in Folly Beach, South Carolina, on or about the weekend of July 9, 2021.

15. In renting the property, Plaintiff's mother communicated with Defendant Shannon Mayes, who held herself out to be one of the hosts and/or property managers for the property.

16. At all times relevant, Shannon Mayes acted as part of the Defendants' property rental enterprise, leasing and offering to lease property and, therefore, had a duty to protect their guests, including Plaintiff, and to take reasonable steps to ensure guest safety policies were followed.

17. During the criminal investigation, the Aiken County Sheriff's Department ("ACSD") executed search warrants for Daniel Mayes' residence and for a DropBox account owned by Daniel Mayes and discovered video recordings of other people.

18. Hundreds of video recordings containing images of other people have been discovered spanning years. Many of these images appear to be minor girls and young women, all in a state of undress, and some engaging in sexual activity.

19. On or about October 31, 2024, Daniel Mayes was arrested on five counts of sexual exploitation of a minor, third degree, and two counts of voyeurism and violating a place of privacy. Those criminal charges are pending in Aiken County.

20. On or about December 6, 2024, Daniel Mayes was arrested on fourteen counts of first-degree voyeurism and one count of first-degree sexual exploitation of a minor.

21. Plaintiff was recently informed that there were recordings of her and her friends from their stay at Defendants' rental property in Charleston, South Carolina, which included videos with extremely private images of them undressing and without clothing.

22. At the time of this incident, Plaintiff was staying on the Defendants' property with her friends.

23. Plaintiff's mother paid Defendants money on Plaintiff's behalf to rent the property.

24. During her stay at Defendants' rental property, Plaintiff undressed and changed clothes in the privacy of the bedroom of the rental. Unbeknownst to Plaintiff and without her consent, the rental property contained surreptitiously placed video cameras positioned to capture recordings in the bedroom of the rental.

25. Defendants had set up video surveillance equipment and secretly video recorded Plaintiff and her friends while they were in the bedroom.

26. At no time did Defendants inform Plaintiff or her friends that there were any recording devices on the property.

27. Plaintiff and her friends did not consent to being recorded in any manner and were

unaware that a video camera or recording device was located on the property.

28. If Plaintiff and her friends had been informed that they were going to be recorded in any manner, they would not have agreed to rent the property.

29. Defendants recorded Plaintiff multiple times while she was nude in the bedroom.

30. Within the "Folly HC" folder there were subfolders named "CH Kap" and "CK Bday" which were named after the Plaintiff and contained video footage of her naked and undressing while staying in Defendants' rental property. One such video contained a compilation of videos of the Plaintiff set to music and included videos of the Defendant Daniel Mayes masturbating to the videos of Plaintiff and her friends.

31. Plaintiff remains extremely upset and was devastated to learn she and her friends had been secretly recorded while undressed.

32. Plaintiff remains concerned nude images and videos of her have been shared with third parties.

33. As a result of this incident, Plaintiff is very concerned about her level of privacy and this concern has negatively impacted her life in a variety of ways.

34. As a result of this incident, Plaintiff has suffered severe emotional distress.

FIRST CAUSE OF ACTION

Negligence and/or Gross Negligence (Against All Defendants)

35. Plaintiff realleges the preceding paragraphs as though repeated verbatim herein.

36. Defendants created a business enterprise whereby they lease, offer to lease, place for rent, solicit listings of places for rent, solicit prospective tenants and/or collect rent from real property in exchange for financial remuneration. This affirmative act places upon Defendants an obligation of due and reasonable care in accord with the laws of South Carolina.

37. At all relevant times, Defendants operated, controlled, managed, supervised, handled reservations for and were responsible for the rental property.

38. Defendants were negligent/grossly negligent in the use and/or operation of cameras/video recording equipment inside the rental property and/or in their failure to disclose the recording equipment.

39. Defendants breached this duty, which resulted in the secret recording of Plaintiff, without her knowledge or consent while Plaintiff and her friends were authorized paying rental guests.

40. As a direct and proximate result of the above conduct of Defendants, Plaintiff has suffered and continues to suffer from, including but not limited to, humiliation, shock, embarrassment, intimidation, physical distress and injury, fear, stress, and other damages to be proven at the time of trial.

41. As a direct and proximate result of Defendants' misfeasance, Plaintiff has also suffered special damages to be proven at the time of trial.

42. Upon information and belief, Defendants committed the acts delineated herein in conscious disregard for Plaintiff's rights. Accordingly, Plaintiff is entitled to recover punitive damages in an amount according to proof.

SECOND CAUSE OF ACTION

Invasion of Privacy – Wrongful Intrusion into Private Affairs (Against William Daniel Mayes)

43. Plaintiff realleges the preceding paragraphs as though repeated verbatim herein.

44. On or about July 9, 2021, Defendant's watching, spying, prying and recording, intruded into Plaintiff's private affairs.

45. At all times relevant herein, Plaintiff had a legally protected right of privacy while a guest on Defendants' rental property. Plaintiff never consented to being recorded, nor was she even aware that she was being recorded. Plaintiff had a reasonable expectation of privacy that she would not

be viewed or recorded by anyone who was not present in the room with her while staying in the Defendant's rental property.

46. Defendant's intrusion into Plaintiff's privacy would be highly offensive to a reasonable person. The intrusion was into aspects of Plaintiff's life that were private and which Plaintiff would normally expect to be free from exposure to Defendant and other third parties.

47. The intrusion was substantial and unreasonable enough to be legally cognizable.

48. Defendant intentionally intruded on Plaintiff's private affairs and violated her most personal rights.

49. Plaintiff has suffered and continues to experience humiliation, and other presumed damages and is entitled to recover for her actual and punitive damages from Defendant's actions as proven at trial.

THIRD CAUSE OF ACTION

Intentional Infliction of Emotional Distress (Against William Daniel Mayes)

50. Plaintiff realleges the preceding paragraphs as though repeated verbatim herein.

51. By recording Plaintiff in private moments, Defendant intentionally or recklessly inflicted severe emotional distress or was certain or substantially certain that such distress would result from his conduct.

52. Plaintiff was in a special relationship with Defendant based on the rental agreement between the parties.

53. Defendant's conduct was so extreme and outrageous as to exceed all possible bounds of decency and must be regarded as atrocious, and utterly intolerable in a civilized community.

54. Defendant's actions caused Plaintiff severe emotional distress when he intentionally recorded the Plaintiff and invaded aspects of her life that were private and which Plaintiff would normally expect to be free from exposure to the Defendant.

55. Plaintiff has suffered and continues to suffer from severe emotional distress, including, but not limited to, grief, anxiety, shock, humiliation, embarrassment, and feelings of powerlessness.

56. Plaintiff's emotional distress was so severe that no reasonable person could be expected to endure it.

57. Plaintiff suffered presumed, actual, and punitive damages from Defendant's intentional infliction of emotional distress.

FOURTH CAUSE OF ACTION
Negligence per se (Against All Defendants)

58. Plaintiff re-alleges the preceding paragraphs as though repeated verbatim herein.

59. Defendants leased, offered to lease or rent, solicited rentals and prospective tenants and/or collected rent from real property within the definition of a real estate broker as set forth in S.C. Code Ann. § 40-57-20.

60. Pursuant to S.C. Code Ann. § 40-57-20, real estate brokers must be licensed in the State of South Carolina.

61. The purpose of this statute is to protect the public from incompetent and untrustworthy individuals engaging in enumerated activities within the real estate field.

62. Plaintiff falls within the class of people sought to be protected.

63. Despite Defendants engaging in activities of a real estate broker, on information and belief, neither of the Defendants holds a broker's license as required by § 40-57-20.

64. On information and belief, Defendants did not have reasonable policies or procedures in place to protect lessees.

65. To the extent policies were in place, those policies were not enforced, ignored and/or violated.

66. As a result of Defendants' failure to adhere to state licensing requirements, Plaintiff has

suffered general damages, including but not limited to humiliation, shock, embarrassment, intimidation, distress, fear, stress and other damages to be proven at the time of trial.

67. As a direct and proximate result of Defendants' failure to adhere to state licensing requirements, Plaintiff has also suffered special damages to be proven at the time of trial.

68. Defendants committed these acts in conscious disregard for Plaintiff's rights. Accordingly, Plaintiff is entitled to an award of punitive damages.

FIFTH CAUSE OF ACTION
Violation of Unfair Trade Practices Act (Against all Defendants)

69. Plaintiff re-alleges the preceding paragraphs as though repeated verbatim herein.

70. By the foregoing acts and omissions, Defendants' conduct constitutes false, misleading and deceptive acts, practices, and/or omissions in violation of the South Carolina Unfair Trade Practice Act, S.C. Code Ann. § 39-5-10, et. seq.

71. Defendants engaged in unfair and deceptive acts and practices by misrepresenting that the rental had certain characteristics or qualities.

72. Defendants misrepresented the fact that the rental property would afford the Plaintiff privacy.

73. By representing the safety and privacy of the rental property, Defendants misrepresented that the goods and services were of a particular standard or quality when they were not.

74. Defendants knew or should have known that their conduct was a violation of § 39-5-20.

75. Because Defendants' unfair and deceptive acts or practices have affected and continue to affect other consumers and have the potential of repetition, Defendants' unlawful trade practices have an adverse impact on the public.

76. Plaintiff has suffered actual, ascertainable damages as a result of the Defendants' use of the unlawful trade practices.

77. As a direct and proximate result of Defendants' deceptive trade practices, Plaintiff sustained damages that include but are not limited to (i) pain and mental anguish in the past and future; (ii) fear, humiliation, and embarrassment in the past and future; and (iii) reasonable and necessary medical bills incurred in the past and future.

78. Because Defendants' acts and conduct constitute unfair and deceptive acts or practices in violations of the South Carolina Unfair Trade Practices Act, Plaintiff is entitled to an award of damages, treble damages, attorneys' fees, and costs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for an order in her favor and against Defendants as follows:

- A. Award Plaintiff actual, compensatory, special, and/or consequential or liquidated damages in an amount to be determined at a trial of this matter;
- B. Award Plaintiff punitive and / or exemplary damages in an amount to be determined at a trial of this matter;
- C. Award treble damages;
- D. Award Plaintiff attorney's fees and costs;
- E. Award prejudgment and post-judgment interest as provided by law, and
- F. All such other relief in law or equity as this court deems just and proper.

Respectfully Submitted,


s/Deborah Barbier

Deborah B. Barbier,

S.C. Bar No. 6920

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ATTORNEY FOR PLAINTIFF

January 7, 2025
Columbia, South Carolina