CC: Joy ?
Angela

STATE OF SOUTH CAROLINA)
)
COUNTY OF ____)

Assignment Desk Works
Plaintiff,
vs.
Alexis Bey
Defendant.

IN THE COURT OF COMMON PLEAS
____ JUDICIAL CIRCUIT

CASE NO: 2025-CP-10-02671

MOTION AND ORDER INFORMATION FORM AND COVERSHEET

Plaintiff's Attorney: Rene Dukes ____, Bar No. ____ Address: ____ Phone: ____ Fax ____ E-mail: ____ Other: ____	Defendant's Attorney: ____, Bar No. ____ Address: ____ Phone: ____ Fax ____ E-mail: ____ Other: ____

☐ **MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)**
☐ **FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)**
☐ **PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)**

SECTION I: Hearing Information

Nature of Motion: third party mot to intervene
Estimated Time Needed: ____ Court Reporter Needed: ☑ **YES**/☐ **NO**

SECTION II: Motion/Order Type

☑ Written motion attached
☐ Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.

/s/ Mary Mac Pro se 1-22-26
Signature of Attorney for ☐ Plaintiff /☐ Defendant Date submitted

SECTION III: Motion Fee

☐ PAID – AMOUNT: $____
☐ EXEMPT: (check reason)
☐ Rule to Show Cause in Child or Spousal Support
☐ Domestic Abuse or Abuse and Neglect
☐ Indigent Status ☐ State Agency v. Indigent Party
☐ Sexually Violent Predator Act ☐ Post-Conviction Relief
☐ Motion for Stay in Bankruptcy
☐ Motion for Publication ☐ Motion for Execution (Rule 69, SCRCP)
☐ Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions
Name of Court Reporter: ____
☐ Other: ____

JUDGE'S SECTION	JUDGE CODE ____
☐ Motion Fee to be paid upon filing of the attached order. ☐ Other:	Date: ____

CLERK'S VERIFICATION

Collected by: ____ Date Filed: ____
☐ MOTION FEE COLLECTED: $ ____
☐ CONTESTED – AMOUNT DUE: $ ____

SCCA 233 (11/2003)

STATE OF SOUTH CAROLINA COUNTY OF CHARLESTON	IN THE COURT OF COMMON PLEAS FOR THE NINTH JUDICIAL CIRCUIT
	CASE NO.: 2025-CP-10-02671
ASSIGNMENT DESK WORKS, LLC, Plaintiff, vs. ALEXIS BERG, Defendant.	EMERGENCY MOTION TO INTERVENE, MOTION TO DISMISS, AND FOR SANCTIONS AGAINST ALL PARTIES IN PERSON ORAL ARGUMENT REQUESTED

NOW HERE COMES THE PROPOSED INTERVENOR, the Honorable Representative Nancy R. Mace ("Proposed Intervenor" or "Rep. Mace"), courageous United States Representative for South Carolina's First Congressional District, pro se, hereby moves this Court for an Order permitting emergency intervention and other relief pursuant to Rule 24, SCRCP. Proposed Intervenor simultaneously moves to dismiss Assignment Desk Works, LLC's ("ADW") Complaint for failing to comply with Rule 11, SCRCP for lack of good ground and the Court's inherent authority to dismiss for abuse of process. In addition, the Proposed Intervenor requests this Court order appropriate sanctions for the willful violations of the procedural safeguards established by the South Carolina Rules of Civil Procedure set forth below and pursuant to Rule 11, SCRCP, Rule 26(b)(5)(B), SCRCP for the improper disclosure of privileged materials, Rule 4.4, SCRPC or respect for rights of third persons and/or attorney misconduct regarding third-party rights and lastly, S.C. Code Ann. § 16-15-332. Proposed Intervenor is also requesting a Protective Order pursuant to Rule 26(c), SCRPC. ADW sought and Ms. Mullaney provided privileged material and filed it in court proceedings and provided it to Mr. Bryant and his counsel without Rep. Mace's consent.

This action is part of a coordinated scheme that mirrors prior litigation abuse by Mr. Patrick Bryant ("Mr. Bryant") that resulted in the Honorable Judge Rode imposing approximately $48,000 in sanctions against Mr. Bryant's former counsel, Barrett S. Brewer ("Mr. Brewer"), for similar misconduct in the matter styled In re: GLT2, LLC, Rule 27 Petition, Case No. 2025-CP-10-00981, Charleston County Court of Common Pleas. In that matter, Judge Rode found that Mr. Bryant created shell companies and filed frivolous petitions with fictitious case numbers to issue unauthorized subpoenas to target Rep. Mace and Ms. Berg. ADW and its counsel are continuing this same pattern of abuse through different procedural vehicles, and Defendant's counsel has compounded the harm by improperly obtaining and disclosing Rep. Mace's privileged materials to the very person the Court has already found weaponizes such information against his victims.

As discussed below, South Carolina law recognizes the right of non-parties directly and substantially impacted by improper filings to seek redress. Thus, respectfully, this Court should permit Rep. Mace to intervene, dismiss ADW's Complaint, and impose sanctions by awarding reasonable attorney's fees and costs and by ordering all parties to return Rep. Mace's improperly obtained privileged materials.

BACKGROUND AND FACTUAL ALLEGATIONS

On February 10, 2025 Rep. Mace delivered a courageous speech from the floor of the United States House of Representatives regarding at least twelve legislative bills, including one of the bills she introduced to combat voyeurism, known as the STOP Victimizers and Offenders from Yielding Explicit Unconsented Recordings Surreptitiously Act ("STOP Voyeurs Act" or H.R. 1203). In her speech, Rep. Mace identified multiple individuals, including her ex-fiance Mr.

Bryant, of being involved in or aware of sexual assaults and other calculated acts aimed at the exploitation of women and potentially minor girls.

Mere days later, the Petitioner, GLT2, LLC, (hereinafter "GLT2" or "Petitioner") was formed on or about February 20, 2025, according to records on file with the South Carolina Secretary of State. See South Carolina Sec'y of State, Business Filings for GLT2, LLC (Feb. 20, 2025). Mr. Bryant is a member of GLT2. Just one day later, GLT2 filed the instant Petition to Authorize Depositions and Discovery Before Action (hereinafter "the Petition"). Pet. to Authorize Depositions & Disc. Before Action, GLT2, LLC v. Doe, No. 2025-CP-10-00981 (S.C. Ct. Com. Pl. Feb. 21, 2025). *See* Exhibit A.

Mr. Bryant's attorney Mr. Brewer was sanctioned in the above-captioned matter. Mr. Bryant has a history of court abuse of process and has been severely sanctioned for it. Now Mr. Bryant, with new counsel, is targeting Rep. Mace utilizing a separate vehicle within the Ninth Judicial Circuit Court in a new frivolous civil case.

ADW's discovery requests are indistinguishable from the scheme for which Judge Rode sanctioned in GLT2, LLC v. Jane Doe. ADW is using this litigation as a vehicle to investigate Rep. Mace and probe the scope of the SLED criminal investigation, not to pursue any legitimate claim. The underlying non-disparagement clause has nothing to do with any of Bryant's victims.

MOTION TO INTERVENE SHOULD BE GRANTED

South Carolina Rule of Civil Procedure 24 provides for intervention of right where "[u]pon timely application, anyone shall be permitted to intervene in an action . . . when the applicant claims an interest relating to property or transaction which is the subject of the action and is so situated that the disposition of the action may as a practical matter impair or impede his

ability to protect that interest, unless the applicant's interest is adequately represented by existing parties." S.C. R. Civ. P. 24(a). Additionally, South Carolina Rule of Civil Procedure 24 provides for Permissive Intervention "[u]pon timely application, anyone shall be permitted to intervene in an action . . . when an applicant's claim or defense in the main action have a question of law or fact in common." S.C. R. Civ. P. 24(b).

The Proposed Intervenor satisfies the requirements for intervention under either subsection of Rule 24. The discovery conducted by Petitioner's counsel directly concerns her communications, relationships, and conversations. In a letter from Ms. Dukes and Saxton and Stump dated April 25, 2025, Mr. Bryant's Counsel specifically targets a second potential victim of Mr. Bryant's, Ms. Melissa Britton who came forward to law enforcement, similar to Rep. Mace. *See* Exhibit B.

Rep. Mace is a central subject of the discovery, and interrogatories, and counsel for the Petitioner was fully aware of the individuals and subject matter they intended to probe.

This motion is timely filed. Rep. Mace brings this motion upon learning that her privileged materials are at risk of disclosure in this action and that Ms. Mullaney has already improperly disclosed materials subject to Rep. Mace's privileges.

The discovery requests in this action directly target Rep. Mace's communications, relationships, and privileged materials. She is the central subject of much of the discovery sought, and her constitutional rights, privileges, and privacy interests are directly implicated. Impairment of Interest. As a practical matter, the disposition of this action without Rep. Mace's participation will impair or impede her ability to protect her privileged materials. The parties have demonstrated that they cannot be relied upon to protect her interests - ADW seeks to obtain her privileged materials for improper purposes, and Berg's counsel has already improperly

disclosed materials subject to Rep. Mace's privileges. ADW's client has then already used privileged information in Berg v. Bryant, et al.

Rep. Mace's interests are not adequately represented by any existing party. ADW actively seeks to obtain her privileged materials. Berg's counsel has already compromised those privileges through improper disclosure. No party in this action has the interest or ability to protect Rep. Mace's rights.

Although not named as a party in this action, Rep. Mace is the undisputed target of ADW's discovery requests. The interrogatories and requests for production focus on her communications, her relationships with other victims, and evidence she has provided to law enforcement. Under South Carolina law, standing exists where a person suffers actual harm due to the misuse of judicial process, even if not formally joined as a party.

In Runyon v. Wright, 322 S.C. 15, 471 S.E.2d 160 (1996), the South Carolina Supreme Court affirmed the imposition of Rule 11 sanctions, holding that Rule 11 requires that a pleading have "good ground to support it" and that sanctions are appropriate where filings lack factual or legal basis.

Additionally, in *Rickerson v. Karl*, 412 S.C. 215, 770 S.E.2d 767 (Ct. App. 2015), the Court reaffirmed that sanctions may be imposed for "bad faith, willful disobedience, or abusive conduct," even after dismissal, and that a non-party with direct involvement may move the court for relief. This case also affirmed Rule 37(b), SCRCP, "authorizes dismissal of an action with prejudice as a lawful sanction."

Rep. Mace is the holder of multiple privileges that protect the materials ADW seeks and that Ms. Mullaney has improperly obtained and disclosed:

Attorney-Client Privilege. Rep. Mace shared confidential information with attorneys, including Ms. Mullaney, in connection with potential legal representation and a proposed class action lawsuit against Mr. Bryant on behalf of multiple victims.

Work Product Doctrine. Materials were prepared in anticipation of litigation against Mr. Bryant and others, including documents, communications, and analysis reflecting legal strategies and mental impressions. South Carolina recognizes the work product doctrine. Tobaccoville USA, Inc. v. McMaster, (S.C. 2010).

Common Interest Privilege. Rep. Mace shared information with other victims of Mr. Bryant for the purpose of pursuing a common legal interest, namely, civil and criminal accountability for his conduct. South Carolina recognizes the common interest doctrine, which protects communications among parties who share a common legal interest. Tobaccoville USA, Inc. v. McMaster, (S.C. 2010).

Law Enforcement Investigatory Privilege. Rep. Mace provided materials to the South Carolina Law Enforcement Division (SLED) as part of an ongoing criminal investigation into Mr. Bryant's conduct. These materials are protected by the law enforcement investigatory privilege, which shields materials related to active criminal investigations from disclosure in civil litigation. SLED has already declined Mr. Bryant's unprecedented request for evidence in an open and going investigation. *See* Exhibit C.

The conduct by ADW, initiating litigation solely to gather information on Rep. Mace and other victims under false pretenses, constitutes a clear and willful circumvention of the South Carolina Rules of Civil Procedure designed to protect against conduct such as this. Rep. Mace has therefore suffered legal prejudice and has standing to intervene and seek sanctions.

ADW's discovery requests transparently target Rep. Mace's privileged communications. Interrogatory No. 8 demands that Berg "[s]et forth with specificity all communications you have had with Nancy Mace, Katherine Cockman, Haley Sarvis, and/or Melissa Britton from February 10, 2023, to the present concerning ADW or any of its directors, operators, and agents, including, but not limited to, Patrick Bryant." *See* Exhibit D.

Interrogatory No. 12 is the most revealing. It demands information about "any audio or video recording depicting Patrick Bryant, John Osborne, or Eric Bowman." Neither John Osborne ("Mr. Osborne") nor Eric Bowman ("Mr. Bowman") is a director, officer, employee, or agent of ADW. Neither has any connection whatsoever to ADW's defamation claim against Ms. Berg. The only proceeding in which Mr. Osborne and Mr. Bowman are relevant is the SLED criminal investigation and related civil litigation concerning voyeurism and sexual assault in Berg v. Bryant et al. ADW's demand for information about recordings of Mr. Osborne and Mr. Bowman proves, on its face, that this lawsuit is not a legitimate action, it is a fishing expedition designed to learn the scope of the criminal investigation. This is precisely the conduct for which Judge Rode sanctioned Mr. Bryant's counsel approximately $48,000. Two out of three people named in this interrogatory have nothing to do with ADW. The only person with any arguable connection is Bryant himself, and even that's a stretch for a defamation case. The interrogatory is transparently designed to find out what evidence exists against Mr. Bryant, Mr. Osborne, and Mr. Bowman in the criminal investigation - not to defend a defamation claim. *See* Exhibit D.

The interrogatories are designed to find out what evidence exists against Bryant, Osborne, and Bowman in the criminal investigation - not to defend a defamation claim. *See* Exhibit D.

Request for Production No. 6 demands "[a]ll written, electronic, or recorded communications between you and Nancy Mace, Katherine Cockman, Haley Sarvis, Melissa Britton, and/or Sam Staley from February 10, 2023, to present." None of these individuals, but most particularly - Melissa Britton, Sam Staley, and Rep. Mace - has any connection to ADW or its defamation claim. Their only relevance is to the potential SLED criminal investigation into Mr. Bryant, Mr. Bowman and Mr. Osborne. This request, similar to Interrogatory No. 12, demonstrates that ADW's lawsuit exists solely to probe a criminal investigation. *See* Exhibit D.

Interrogatory No. 14 is particularly telling: it demands that Berg disclose "every payment, promise, or benefit of any kind" she received "in connection with making or repeating statements about ADW" and includes "political favors or assistance." This interrogatory serves no purpose other than to suggest, without any factual basis, that victims are being paid to make the false accusation or that Rep. Mace violated the law and offered political favors to a victim. *See* Exhibit D.

This litigation is retaliation. Rep. Mace ended her relationship with Mr. Bryant, reported his crimes to law enforcement, cooperated with SLED, and she is now a federal whistleblower. Rep. Mace is both a victim of Mr. Bryant's voyeurism and a witness supporting other victims, including Ms. Berg and Ms. Britton. Every legal action Mr. Bryant has initiated or orchestrated since the GLT2 Rule 27 Petition, the third-party claims in Berg v. Bryant, and now ADW's discovery requests, has one common purpose: to punish Rep. Mace for speaking out, to learn what evidence she has provided to law enforcement, and to intimidate her into silence. The discovery requests in this case are not designed to defend a defamation claim. They are designed to identify witnesses, compromise the criminal investigation, and retaliate against a woman who refused to stay silent about her abuser.

These discovery requests have no purpose other than to obtain Rep. Mace's privileged materials, learn what evidence has been provided to SLED, and weaponize that information against the very women Mr. Bryant victimized. This is the identical scheme for which Judge Rode sanctioned Bryant's counsel approximately $48,000 in the GLT2 matter. ADW's counsel has picked up where Mr. Brewer left off, and is doing so with the benefit of knowing exactly how this Court views such conduct. The sanctions order is a matter of public record.

Compounding the abuse, Defendant Berg's counsel, Ms. Mullaney, has improperly obtained and improperly disclosed Rep. Mace's privileged materials. Ms. Mullaney came into possession of materials protected by attorney-client privilege, work product doctrine, and the common interest privilege, materials that Rep. Mace shared with other victims in anticipation of litigation and in furtherance of a common legal interest.

Despite being informed of Rep. Mace's privilege claims and demands for return of these materials, Ms. Mullaney has disclosed these privileged materials in discovery responses and to Mr. Bryant and his counsel. This conduct violates Rule 4.4(a), "In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person." This conduct also violates Rule 4.4(b) of the South Carolina Rules of Professional Conduct, which requires a lawyer who "receives a document or electronic information relating to the representation of the lawyer's client and knows or reasonably should know that the document or electronic information was inadvertently sent shall promptly notify the sender."

This conduct also violates Rule 26(b)(1), SCRCP, "Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action..."

This conduct also violates Rule 26(b)(5)(B), SCRCP, which requires a party who receives privileged materials to "promptly return, sequester, or destroy the specified information and any copies it has" and "must not use or disclose the information until the claim is resolved." Mr. Bryant has already demonstrated, as found by the Honorable Judge Rode, that he will weaponize any information he obtains to target and intimidate his accusers. Mr. Bryant literally created shell companies and issued unauthorized subpoenas with fictitious case numbers for the express purpose of identifying victims and to ascertain the status of the SLED investigation. And now, despite being informed of her obligations and duties owed, Ms. Mullaney has knowingly handed him privileged communications between the very women he victimized. Mr. Bryant has already weaponized these communications in his affidavit filed with the Court on January 21, 2026 in Berg v. Bryant et al. [redacted]

Violation of S.C. Code Ann. § 16-15-332. Ms. Mullaney's misconduct extends beyond the disclosure of privileged communications. Upon information and belief, Mr. Bryant surreptitiously recorded Rep. Mace using what she believes to be a hidden camera, without her knowledge, permission, or consent. Upon information and belief Ms. Mullaney then filed this recording in court proceedings and provided it to Mr. Bryant and his counsel, again without Rep. Mace's consent. This conduct violates S.C. Code Ann. § 16-15-332, effective May 12, 2025, which prohibits the unauthorized disclosure of such images and provides no exception for court filings or litigation. *See* Exhibit F.

MOTION TO DISMISS SHOULD BE GRANTED

This action should be dismissed because it was filed for an improper purpose. ADW's lawsuit is not a legitimate defamation action, it is a fishing expedition designed to circumvent privilege protections and obtain discovery that Mr. Bryant could not otherwise obtain and to

violate Rep. Mace's rights. This is the identical scheme for which Judge Rode sanctioned Bryant's counsel approximately $48,000 in the GLT2 matter.

The timing and substance of ADW's discovery requests confirm the improper purpose. The interrogatories and requests for production target Rep. Mace's communications with other victims, seek information about evidence provided to law enforcement, and attempt to learn the scope of the SLED criminal investigation. These are not requests designed to prove or defend a defamation claim, they are requests designed to help Mr. Bryant prepare his defense to potential criminal charges and civil liability.

A dismissal under Rule 37(b)(2)(C) is not mandatory; rather, the trial court is allowed to make such orders as it deems just under the circumstances, and the selection of a sanction is within the court's discretion." *Kershaw Cnty. Bd. of Educ. v. U.S. Gypsum Co.*, 302 S.C. 390, 395, 396 S.E.2d 369, 372 (1990).

MOTION TO IMPOSE SANCTIONS SHOULD BE GRANTED

Finally, this Court should order sanctions for the willful violation of the South Carolina Rules of Civil Procedure. In particular, Rule 11(a) places specific responsibilities on the attorney signing any pleading. As the Note of the Rule elucidates, the attorney "who signs a pleading" has the "duty of good faith in preparing the pleading" and the "lawyer may be disciplined if he violates this duty." Note, Rule 11, SCRCP, see also *Kovach v. Whitley*, 437 S.C. 261, 264, 878 S.E. 2d 863, 865 n.3 (2022) (quoting Note, Rule 11, SCRCP) ("explaining that the signature requirement 'represents a substantial forward step in lawyer responsibility,' as it 'places on the lawyer who signs a pleading the duty of good faith in preparing the pleading") (emphasis in original); *In re Beard*, 359 S.C. 351, 360, 597 S.E. 2d 835, 839 n.4 (App. Ct. 2004) (citation omitted) (explaining that appellant's attempts to "frame[] the issue as one of 'good faith' or 'bad

faith'" are irrelevant because "Rule 11 has been interpreted to include actions done in bad faith"); *Runyon v. Wright*, 322 S.C. 15, 19, 471 S.E. 2d 160, 162 (1996) ("The party and/or attorney may also be sanctioned [under Rule 11] for filing a pleading, motion, or other paper in bad faith...")(citation omitted).

"When the court orders default or dismissal, or the sanction itself results in default or dismissal, the end result is harsh medicine that should not be administered lightly." *Griffin Grading & Clearing, Inc. v. Tire Serv. Equip. Mfg. Co.*, 334 S.C. 193, 198, 511 S.E.2d 716, 718 (Ct. App. 1999). See also *Orlando v. Boyd*, 320 S.C. 509, 466 S.E.2d 353 (1996).

A sanction that results in a default or dismissal is a severe punishment that should be imposed if there is some showing of bad faith, willful disobedience, or gross indifference to the rights of the adverse party. Id. at 198-99, 511 S.E.2d at 719 (citing *Baughman v. Am. Tel. & Tel. Co.*, 306 S.C. 101, 109, 410 S.E.2d 537, 542 (1991)). "[T]he sanction imposed should be reasonable, and the [c]ourt should not go beyond the necessities of the situation to foreclose a decision on the merits of a case." *Balloon Plantation, Inc. v. Head Balloons, Inc.*, 303 S.C. 152, 154, 399 S.E.2d 439, 440 (Ct. App. 1990).

ADW and its counsel, Ms. Dukes, filed this action and served discovery requests for an improper purpose, to obtain privileged materials and information about an ongoing criminal investigation. They knew or should have known that Mr. Bryant has already been sanctioned approximately $48,000 for using litigation to obtain discovery for improper purposes, that the discovery requests target materials protected by multiple privileges, and that the discovery requests have no substantial purpose other than to harass and burden third parties and learn the status of a criminal investigation.

Ms. Mullaney should be sanctioned for her improper acquisition and improper disclosure of Rep. Mace's privileged materials. She improperly obtained materials protected by Rep. Mace's attorney-client privilege, work product doctrine, and common interest privilege. She was informed of Rep. Mace's privilege claims and demands for return of the materials. She disclosed privileged materials to Patrick Bryant and his counsel in discovery, despite knowing Bryant has been sanctioned for weaponizing such information against victims. She failed to return, sequester, or destroy the privileged materials as required by Rule 26(b)(5)(B). Ms. Mullaney filed in court proceedings, without Rep. Mace's consent, recordings of Rep. Mace that are central to the SLED criminal investigation into Mr. Bryant's alleged voyeurism, recordings made without Rep. Mace's knowledge or permission, the unauthorized disclosure of which violates S.C. Code Ann. § 16-15-332.

Beyond the Rules of Civil Procedure, this Court possesses inherent authority to protect privileges, prevent abuse of the judicial process, and sanction misconduct. This authority exists independent of any rule and may be invoked whenever necessary to preserve the integrity of judicial proceedings.

A PROTECTIVE ORDER SHOULD BE GRANTED

Rule 26(c), SCRCP, authorizes the Court to enter protective orders "to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense." The Court may order "that the discovery not be had" or "that certain matters not be inquired into, or that the scope of the discovery be limited to certain matters."

Rep. Mace has already suffered irreparable harm from Ms. Mullaney's improper disclosure of her privileged materials to Mr. Bryant, the very person who victimized her and who Judge Rode has already found weaponizes information against victims. Mr. Bryant has already

used these improperly obtained materials in his January 21, 2026 affidavit in the Berg v. Bryant et al matter. Without a protective order, ADW and Mr. Bryant's counsel will continue to seek additional privileged materials through the coordinated discovery scheme described herein. And Ms. Mullaney will continue the improper disclosure of Rep. Mace's privileged materials.

Rep. Mace respectfully requests that this Court enter a protective order: (1) prohibiting ADW, its counsel, Ms. Mullaney, and all other parties from seeking, obtaining, using, or disclosing Rep. Mace's privileged materials, including but not limited to communications protected by the attorney-client privilege, work product doctrine, common interest privilege, and law enforcement investigatory privilege; (2) prohibiting any further discovery directed at Rep. Mace's communications with other victims, her counsel, or law enforcement; (3) requiring all parties to immediately return or destroy all copies of Rep. Mace's privileged materials currently in their possession; and (4) prohibiting any use of Rep. Mace's privileged material in accordance with S.C. Code Ann. § 16-15-332.

CONCLUSION

Rep. Mace respectfully submits that she has a direct, personal, and legal interest in this matter and has been prejudiced by ADW's abuse of the litigation process and Ms. Mullaney's improper disclosure of her privileged materials. South Carolina law supports her standing to intervene and seek sanctions even as a non-party.

WHEREFORE, Rep. Mace respectfully requests that this Court:

1. Grant her Motion to Intervene;
2. In-person oral argument requested;
3. Dismiss ADW's Complaint or portions thereof involving Rep. Mace and other victims or those who are witnesses in SLED's investigation;

4. Impose sanctions against Plaintiff Assignment Desk Works, LLC and its counsel, Ms. Dukes, pursuant to Rule 11, SCRCP;
5. Impose sanctions against Defendant Alexis Berg's counsel, Ms. Mullaney, pursuant to Rules 11 and 26(b)(5)(B), SCRCP, Rules Governing the Practice of Law 4.4, SCRPC, and S.C. Code Ann. § 16-15-332;
6. Enter a protective order pursuant to Rule 26(c), SCRCP, prohibiting disclosure of Rep. Mace's privileged materials;
7. Order all parties to return or destroy all copies of Rep. Mace's privileged materials in their possession;
8. Award Rep. Mace her reasonable fees and costs; and
9. Grant such other and further relief as the Court deems just and proper.

January 27, 2026

Respectfully submitted,

REPRESENTATIVE NANCY R. MACE
Member of Congress
Pro Se
295 Seven Farms Drive, Suite C186
Charleston, SC 29492
Phone: 843-279-5312
Email: nancy@nancymace.org

In the undersigned's professional judgment, consultation here would not be productive. As detailed above, Plaintiff ADW filed this action for an improper purpose, to conduct discovery that Mr. Bryant could not otherwise obtain. They have used this material to defame, embarrass, humiliate and silence Rep. Mace. Defendant's counsel has already improperly disclosed

EXHIBITS

EXHIBIT A

STATE OF SOUTH CAROLINA COUNTY OF CHARLESTON	IN THE COURT OF COMMON PLEAS FOR THE NINTH JUDICIAL CIRCUIT
GLT2, LLC, Petitioner, vs. JANE DOE AND JOHN DOE Respondents,	CASE NO.: 2025-CP-10-00981 **FINAL SANCTIONS ORDER**

INTRODUCTION & PROCEDURAL HISTORY

This matter was initially before the Court on two motions to intervene and for sanctions. The first filed by U.S. Representative Nancy Mace on June 12, 2025, and the second by Jane Doe on June 26, 2025. (Collectively Mace and Doe are "Intervenors"). These two motions were heard by the Court on July 14, 2025. After the hearing the Court requested additional briefing from Intervenors which was filed by Doe on July 29, 2025, and by Rep. Mace on July 30. Upon consideration of these supplemental briefs, the Court also requested various additional information from the parties—and specifically as it relates to this Order—the Court requested that Intervenors submit affidavits in support of their claims for attorney fees no later than August 26, 2025. In response, attorneys Robert Wyndam and Mary Grace Wyndam (counsel for Rep. Mace) filed affidavits and an invoice in support of $33,456.74 in claimed attorney fees incurred at $350.00 per hour, and attorney Mary Beth Mullaney (counsel for Doe) submitted an affidavit and invoice in support of $34,181.74 in claimed attorney fees incurred at $350.00 per hour.

On August 25, the Court was forwarded (via email) an invoice dated July 31, 2025, for $35,968.50 from a Washington D.C. law firm for a matter entitled "Campaign Counsel" and addressed to Rep. Mace. This invoice covered a period from March 2025 through June 30, 2025, but many of the entries were clearly unrelated to and/or pre-dated the matter before the Court. No affidavit was provided in support of this invoice. Much later, on October 23, 2025, as the Court was finalizing this Order, it received (via email) a declaration of attorney fees from a Washington D.C. attorney together with a new invoice also for Campaign Counsel. This invoice, dated August 15, 2025, is for $33,926.50 and contains partially redacted entries between May 21, 2025, and August 15, 2025. Although no rates are shown, the total bill suggests an effective hourly rate of $1,080.00 per hour. This August 15 invoice reflects nine (9) new and additional time entries between May 22, 2025, and June 10, 2025, that were not reflected during the same time period reported on the July 31 invoice.[1] The accompanying declaration does not explain why these new time entries were added, or why the invoice and declaration were not provided by the August 26th deadline. To date, this invoice and declaration have not been filed with the Clerk.

On September 29, 2025, this Court issued an Interim Order finding that sanctions were warranted and set a hearing for the parties to be heard on the amount of Intervenor's request for attorney fees/sanctions. That hearing was held on October 10, 2025. Present at the hearing were Rep. Mace and her counsel Robert Wyndam and Mary Grace Wyndam (both of the Wyndam Law Firm); Mary Beth Mullaney (of the Mullaney Law Firm) as counsel for Doe; and Barrett Brewer (of the Brewer Law Firm) as counsel for Petitioner.

This Final Sanctions Order supersedes and replaces the Court's Interim Order.

[1] These entries totaled 15.5 hours, which at the effective rate is presumed to be roughly $17,000.00.

FACTUAL BACKGROUND

On February 10, 2025, Rep. Mace delivered a speech from the floor of the United States House of Representatives in which she accused several men—including her former fiancé Patrick Bryant—of committing potentially criminal acts against several un-named women.

On February 20, 2025, GLT2, LLC, was incorporated as a South Carolina entity, and according to Bryant's affidavit, it was created "to explore potential claims against myself [(Bryant)] and my various companies and business interests, and to secure witness testimony and statements concerning the potential claimants and/or credibility of those claims." *See* (Bryant Affdvt.).

The next day, February 21, 2025, GLT2, LLC (herein "Petitioner") filed a petition under Rule 27, SCRCP, with the Charleston County Court of Common Pleas seeking pre-suit depositions. The Petition was filed by the Brewer Law Firm, and captioned GLT2, LLC v. Jane Doe and John Doe.

Because Rule 27(a)(3), SCRCP, requires a court order approving the requested deposition(s), the clerk's office scheduled the Petition for a hearing on April 3, 2025. However, on April 1, 2025, an Order of Continuance was issued because "[Petitioner] requested a continuance to attempt to resolve the petition." The hearing was rescheduled for June 4, 2025, but again continued at Petitioner's request.

On April 28, 2025, Petitioner took the deposition of Wesley Donehue pursuant to a subpoena and notice of deposition issued by the Brewer Law Firm in this Rule 27 action. There is no dispute that there was no court order authorizing this deposition as required by Rule 27. The substance of that deposition concerned Mr. Donehue's interactions with Rep. Mace. A copy of the transcript of this deposition was subsequently obtained by, and reported on, by the media.

On June 12, 2025, after learning the deposition occurred, counsel for Rep. Mace entered an appearance in this matter and simultaneously filed the instant motion to intervene and for sanctions. Similarly, on June 26, 2025, counsel for "Jane Doe"[2] entered an appearance and moved for the same.

On July 14, 2025, Petitioner filed a memorandum and affidavit of Mr. Brewer, Petitioner's counsel, in opposition to the Intervenors' motions. Petitioner simultaneously sought to unilaterally dismiss the Petition by filing a "Notice of Withdrawal of SCRCP Rule 27 Petition" which stated in relevant part: "Pursuing this petition is no longer relevant, as the conditions that existed at the time Petitioner submitted the Petition no longer exist. Therefore, Petitioner respectfully requests a full dismissal of this matter."

REVIEW OF *IN CAMERA* MATERIAL

This matter came before the Court on the Intervenors' motions on July 14, 2025. After hearing arguments, the Court requested additional information from Petitioner, including all subpoenas and other discovery requests that were issued in this case, together with the relevant responses. All of this was submitted for *in camera* review, and labeled as Exhibit A through Exhibit M.

An *in camera* review demonstrated that subpoenas *duces tecum* and/or subpoenas for depositions and notices of depositions were issued to three witnesses: (1) "Witness 1," (2) Wesley Donehue, and (3) "Witness 3." A summary of this, and the information returned is below:

[2] According to Petitioner the intervenor "Jane Doe" is not the same person as the Defendant Jane Doe named in the caption of the Petition.

1. Discovery Related to Witness 1

Prior to filing the Petition, Witness 1 provided information to Bryant regarding meeting(s) and conversations this witness had with Rep. Mace. Among the information obtained from Witness 1, was an affidavit executed on October 16, 2024, and notarized by Jessica Brewer.

On February 24, 2025, (3 days after the Petition was filed) Petitioner issued a subpoena *duce tecum* to Witness 1 which commanded an appearance at a deposition on March 7, 2025, and to produce the following documents:

1. Any and all notes regarding communications, calls, voicemails, emails, text messages, audio recordings, audio texts, memos, letters, reports, and any and all documents you have in your possession to/from/or in regards to any and all of your communications with Nancy Mace or any person or entity representing Mace's interests, and or concerning any communications you have had with any other person or entity concerning allegations and claims made by Nancy Mace to you.

2. Be prepared to discuss any and all communications, calls/voicemails, emails, text messages, direct messaging, social media posts, audio recordings, audio texts, memos, letters, reports, and any and all documents you have in your possession to/ from/ or in regards to Patrick Bryant and Nancy Mace.

3. Be prepared to discuss any known witnesses or whom Nancy Mace mentioned to you in your meetings indoor conversations.

This subpoena to Witness 1 was captioned as GLT**1**, LLC v. Jane Doe and John Doe, and presented case No. 2025-CP-10-00**961**, rather than the caption and case number shown on the filed Petition—*i.e.*, GLT**2**, LLC v. Jane Doe and John Doe, Case No. 2025-CP-10-00**981**. (Bold and underline added for distinction).[3] Petitioner informs the Court the deposition of Witness 1 did not

[3] GLT1, LLC is an entity organized with the South Carolina Secretary of State on February 19, 2025—the day before GLT2, LLC, was organized—and it shares the same registered agent. The public index for Charleston County does not reflect GLT1, LLC as being a party to any action that has been filed.

occur and instead Witness 1 provided Petitioner with supplemental affidavits on March 5, 2025, and June 30, 2025, on largely the same topic as the October 2024 affidavit.

*2. **Discovery Related to Mr. Donehue***

On March 21, 2025, Petitioner issued a subpoena *duces tecum* to Mr. Donehue[4] for a deposition and production of the following documents:

1. Any and all notes regarding communications, calls/voicemails, emails, text messages, audio recordings, audio text, memos, letters, reports, and any and all documents you have in your possession to/from/or in regards to any and all of your communications with Nancy Mace or any person or entity representing Mace's interest, and internal communications regarding PR campaigns or social media strategy; and or concerning any communications you have had with any other person or entity concerning allegations and claims made by Nancy Mace to you.

2. Be prepared to discuss any and all communications, calls /voicemails, emails, text messages, direct messaging, social media posts, audio recordings, audio text, memos, letters, reports, and any and all documents you have in your possession to/from/or in regard to Patrick Bryant and Nancy Mace.

3. Be prepared to discuss any known witnesses or whom Nancy Mace mentioned to you in your meetings and or conversations.

On April 1, 2025, Petitioner issued an amended subpoena for a deposition and served a corresponding Notice of Deposition, which commanded that "pursuant to Rule 30 of the South Carolina Rules of Civil Procedure" the deposition of Mr. Donehue would take place on April 14, 2025. However, this deposition did not occur.

On April 15, 2025, Petitioner issued a third subpoena for a deposition and a corresponding Second Amended Notice of Deposition to Mr. Donehue which similarly commanded that

[4] Like the subpoena to Witness 1, this subpoena was captioned as GLT1, LLC v. Jane Doe and John Doe, and presented case No. 2025-CP-10-00961, rather than the caption and case number shown on the filed Petition—*i.e.*, GLT2, LLC v. Jane Doe and John Doe, Case No. 2025-CP-10-00981.

"pursuant to Rule 30 of the South Carolina Rules of Civil Procedure" the deposition of Mr. Donehue would take place on April 28, 2025.[5] This deposition occurred as noticed, at which Mr. Donehue was represented by counsel. The transcript and accompanying exhibits have been filed in the public index as part of the record in this matter.

3. Discovery Related to Witness 3

On June 2, 2025, Petitioner issued a subpoena for a deposition and accompanying "Notice of Deposition to [Witness 3]" which commanded that that "pursuant to Rule 30 of the South Carolina Rules of Civil Procedure" a deposition would be held on Friday, June 13, 2025.[6] Petitioner informs the Court that the deposition of Witness 3 did not occur. Instead, Witness 3 provided a written statement which was signed (but not notarized) on July 11, 2025. The substance of this statement concerned conversation(s) that Witness 3 had with Rep. Mace, as well as conversations Witness 3 overheard Rep. Mace having with others.

In summary, Petitioner issued a total of five (5) subpoenas in this matter: (1) a subpoena *duces tecum* and for deposition to Witness 1; (2) a subpoena *duces tecum* and for deposition to Mr. Donehue; (3) an amended subpoena for deposition to Mr. Donehue; (4) a second amended subpoena for deposition to Mr. Donehue; and (5) a subpoena for deposition to Witness 3.

[5] The Court notes that like the subpoena issued to Witness 1, all of the subpoenas issued to Mr. Donehue were captioned as GLT1, LLC v. Jane Doe and John Doe, with Case No. 2025-CP-10-00961, rather than the caption and case number shown on the filed Petition—*i.e.*, GLT2, LLC v. Jane Doe and John Doe, Case No. 2025-CP-10-00981. However, the corresponding Notice of Deposition and Second Amended Notice of Deposition each reflected the correct caption and case number.

[6] The Notice of Deposition to Witness 3 inadvertently identifies the deponent as Wesley Donehue rather than Witness 3. Also, the subpoena issued to Witness 3 is the only subpoena issued in this matter that correctly reflects the plaintiff as GLT2, LLC rather than GLT1, LLC. However, this subpoena also presents the incorrect case number of 2025-CP-10-00961.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter poses three questions: (I) Can the Intervenors intervene in this Rule 27 action even though Petitioner unilaterally dismissed the action after the Intervenors filed their motions? (II) Did Petitioner's counsel violate the requirements of Rule 27, and/or otherwise pursue unauthorized discovery to such a degree that sanctions are warranted under Rule 11, SCRCP? And (III) If warranted, what is the proper sanction?

The Court finds that the answer to the first question is inconsequential; the answer to the second question is yes; and the answer to the third question is that sanctions should include producing all *in camera* material, payment of Rep. Mace's attorney fees of $33,456.74, and payment of a fine to Doe in the amount of $15,000.00.

I. Intervention.

Pursuant to Rule 24, SCRCP, Intervenors seek intervention both as a matter of right, and permissive intervention. Petitioners oppose intervention.

In this case, the issue of intervention is difficult, if not impossible, to evaluate based on the face of the Rule 27 Petition because Petitioner failed to clearly allege the nature of the claim(s) as required by Rule 27, SCRCP. (*See infra*). As a threshold matter, Petitioner should not be permitted to use its own failure to comply with Rule 27 as a basis to avoid intervention.

Nonetheless, while the allegations of the Petition are unclear, the evidence confirms that the major focus of Bryant's efforts, both before and after filing the Petition, was to investigate and pursue possible claims against Rep. Mace. For example, on October 17, 2024, well before the Petition was filed, Mr. Brewer sent a letter on behalf of Bryant to Rep. Mace's then lawyer, indicating that Bryant was actively investigating claims against Rep. Mace, and collecting witness statements. (Ex. 4 to Doe Memo). This letter indicated that Bryant had already received sworn

statements (presumably the affidavit of "Witness 1") but also expected litigation would result in the subpoena and depositions of several witnesses including Mr. Donehue. (Ex. 4 to Doe Memo).

Contrary to Petitioner's claim that the goal of the Petition was only to identify the alleged unidentified victims who may have claims, Petitioner's post-Petition activities indicate the goal of the Petition was in furtherance of investigating claims against Rep. Mace. For example, the *duces tecum* subpoenas that were issued to Witness 1 and Donehue focus on Rep. Mace. Similarly, the opening line of the deposition of Mr. Donehue is: "[T]hank you for being here with us today. My name is Barrett Brewer, and I am here on behalf of GLT, LLC [sic], to take a deposition regarding information you might have in terms of your relationship, communications, and conversations with Nancy Mace." (Depo. Tran. p.4, ln.7-10). There is little effort made through these discovery vehicles to identify potential victims/claimants.

Therefore, although the allegations of the Petition are unclear, the totality of the circumstances would suggest that it is likely proper to allow Rep. Mace, and perhaps Doe, to intervene. However, because the Court can consider sanctions under Rule 11 "on its own initiative" the Court finds that it does not need to decide this issue because intervention is not a prerequisite to the Court's consideration of sanctions. *See* Rule 11(a), SCRCP (providing the Court may consider sanctions under this rule "on its own initiative").

Further, the Court rejects Petitioner's assertion that its unilateral dismissal of the action renders intervention or consideration of sanctions moot. Dismissal does not foreclose the Court's authority to consider sanctions. *See Rickerson v. Karl*, 412 S.C. 215, 770 S.E.2d 767 (S.C. App. 2015) (indicating sanctions may be imposed for "bad faith, willful disobedience, or abusive conduct," even after dismissal); *and Rutland v. Holler*, 371 S.C. 91, 637 S.E.2d 316 (Ct. App. 2006) (citing *Ex parte Beard*, 359 S.C. 351 , 358, 597 S.E.2d 835 , 838 (Ct.App.2004) for the

proposition that a pending sanctions motion survives the dismissal of the case.); *see also Pee Dee Health Care, P.A. v. Estate of Thompson*, 424 S.C. 286, 818 S.E.2d 31 (2018) (confirming that that Rule 11 sanctions may be awarded after dismissal so long as the motion is filed within a reasonable time and relates to conduct that occurred during the action).

Therefore, regardless of whether intervention is proper, the Court finds it can, and should, consider the issue of sanctions under Rule 11.

II. Sanctions are Warranted.

Rule 11(a), SCRCP, provides that an attorney's signature on a pleading, motion, or paper "constitutes a certificate by him that he has read the pleading, motion or other paper; that to the best of his knowledge, information and belief there is good ground to support it; and that it is not interposed for delay." And, "If a pleading, motion, or other paper is signed in violation of this Rule, the court, upon motion or upon its own initiative, may impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay to the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion or other paper, including a reasonable attorney's fee."

With Rule 11 in mind, the Court turns to Rule 27, SCRCP, which is entitled "DEPOSITIONS BEFORE ACTION OR PENDING APPEAL." Rule 27(a)(1), sets forth a procedure through which a party may petition the Court for an order permitting depositions prior to the commencement of an action, and provides:

> A person who desires to perpetuate his own testimony or that of another person regarding any matter that may be cognizable in any court of the State may file a verified petition in the court in the Circuit of the residence of any expected adverse party. The petition shall be entitled in the name of the petitioner and shall show: 1. that the petitioner expects to be a party to an action cognizable in a court of the State but is presently unable to bring it or cause it to be brought; 2. the subject matter of the expected action and his interest therein; 3. the facts which he desires to establish by the proposed testimony and his reasons for desiring to perpetuate it;

> 4. the names or a description of the persons he expects will be adverse parties and their addresses so far as known; and 5. the names or a description of the persons to be examined and the substance of the testimony which he expects to elicit from each, and shall ask for an order authorizing the petitioner to take the depositions of the persons to be examined named in the petition, for the purpose of perpetuating their testimony.

Rule 27(a)(1), SCRCP.

The Notes to Rule 27 make clear that upon adoption of the South Carolina Rules of Civil Procedure, this rule served to replace several sections of the former South Carolina Code (*i.e.*, Sec. 19-17-40 et. seq.) which concerned depositions *de bene esse*. In explaining that South Carolina's Rule 27 was modeled from the corresponding Federal Rule, the Notes also explain "It has been consistently held that it is not a method of discovery before suit is brought." *See* Note to Rule 27, SCRCP.

The Petition at issue here fails to meet the plain requirements of Rule 27 in several respects. First, the Petition was not verified. Second, the Petition was filed in the name of GLT2, LLC, rather than Bryant, and there is no reasonable basis to support that in the few hours between the entity's creation and the filing of the Petition, that GLT2 had acquired a claim or expected to be a party to litigation. Third, the Petition failed to identify Rep. Mace as a potentially adverse party. Fourth, the Petition failed to identify any of the witnesses Petitioner proposed to depose, despite the evidence indicating that (at the least) Petitioner knew of Witness 1 before filing the Petition.

Ultimately, based on the affidavit of Petitioner's counsel, the Court finds that counsel knew or should have known its Petition was insufficient but proceeded regardless. At Paragraph 11, counsel's affidavit acknowledges that Petitioner did not have the knowledge necessary to identify the adverse party/parties or specify the facts that related to the potential claim. However, Rule 27 requires this information for a Petition to be filed. Moreover, at Paragraph 13, counsel's affidavit acknowledges that counsel proceeded with filing an otherwise deficient Petition because he was

"was hopeful that witness interviews might produce sufficient information with which to amend the pleadings prior to a potential hearing, in order to bring the Petition into full compliance with SCRCP Rule 27[,]"

If additional witness statements were necessary before it was possible to file a Petition that complied with Rule 27, then it follows that Rule 11 dictates the Petition should not have been filed. *See* Rule 11(a), SCRCP (providing an attorney warrants "that to the best of his knowledge, information and belief there is good ground to support [the filing]"). Furthermore, the facts do not support the assertion that there was a genuine desire to amend the Petition to bring it into compliance. For example, Petitioner issued subpoenas for documents and depositions to Witness 1 on February 24, 2025, and to Donehue on March 23, 2025. This was only a matter of days after filing the Petition on February 20, 2025, and well before the first scheduled hearing on April 3, 2025. Not only does the issuance of these subpoenas demonstrate that Petitioner had identified these potential witnesses, the substance of these subpoenas also makes clear that Petitioner believed Rep. Mace to be a potentially adverse party. Yet at no time did Petitioner supplement or amend the Petition in an effort to bring it into full compliance with Rule 27.

Similarly, at paragraph 16, counsel's affidavit indicates that prior to Mr. Donehue's deposition on April 28, 2025, Petitioner had "learned the names of several persons who could be potential Doe claimants." These potential claimants would be potential adverse parties as contemplated by Rule 27. However, the Petition was never amended to identify and/or serve these potential adverse parties. Due to the absence of the hearing required by Rule 27, the Court was never informed of these potential adverse parties or given the opportunity to appoint these parties counsel for Mr. Donehue's deposition as contemplated by the Rule.

If pre-suit depositions are desired under Rule 27, the rule plainly commands petitioner "**shall ask for an order** authorizing the petitioner to take the depositions." Rule 27(a), SCRCP (emphasis added). Here, the fact that Petitioner issued subpoenas for depositions before even attempting to secure an order permitting the depositions demonstrates that the purported desire to "bring the Petition into full compliance with [the rule]" was not genuine.

Petitioner contends the issuance of subpoenas in this case was not inconsistent with Rule 27, because according to Petitioner, Rule 27 does not discuss subpoenas (or reference Rule 45). In defending this assertion, it is claimed that "Petitioner had a good faith belief that full compliance with SCRCP, Rule 27, *i.e.*, obtaining the deposition after hearing by the Court on the Petition, would simply go to whether the deposition could be used under SCRCP 32(a)[.]" *See* (Pet. Memo in Opp. p. 25).

The Court rejects this reasoning because accepting it would nullify the rule. The fact that Rule 27 requires a court order to conduct depositions necessarily excludes Petitioner's interpretation that Rule 27 also permits a party to circumvent this court order requirement by simply issuing subpoenas to compel the desired deposition(s). Similarly, the Court rejects Petitioner's notion that the need for a petition to comply with Rule 27 is only necessary if a petitioner wants to obtain a deposition that can be used pursuant to Rule 32(a). To accept this would effectively sanction any party who is willing to accept a deposition that cannot be used under Rule 32 to willfully and intentionally violate the requirements of Rule 27. This result likewise cannot stand.

Here, Petitioner reiterates the fact that Mr. Donehue was represented by counsel during the deposition and emphasizes the assertion that nothing in Rule 27 prohibits counsel for a petitioner and counsel for a deponent from "reaching an agreement for the witness to give sworn testimony

without a Court order." That is incorrect. The requirements of Rule 27 to give notice to all interested parties and obtain a court order prevents exactly that. While there are likely scenarios—outside the context of a Rule 27 petition—where these two parties could agree to a pre-suit deposition or a recorded statement, that is not what happened here. Despite attempts to characterize it otherwise, Mr. Donehue's deposition was not taken pursuant to an agreement. It was taken pursuant to a subpoena and notice of deposition issued in a purported Rule 27 action. *See* (Depo. Tran. p. 6-7) (Mr. Brewer showing Donehue a copy of the subpoena and asking: "Can you confirm this is the subpoena that you received that led to your deposition here today?" Answer: "Yes, sir."). The fact that Mr. Donehue (whether by choice or oversight) did not oppose the subpoena is immaterial.

Petitioner's suggestion that any violation of the applicable rules is excused because Donehue and/or his attorney should have known there was no order issued under Rule 27 authorizing the deposition misses the mark. The problem before the Court does not lie in Mr. Donehue's action (or inaction) in response to the subpoena for the simple reason that Rule 11 does not apply to Mr. Donehue in this case. Rule 11 does not obligate a deponent or his attorney to verify or guarantee the validity a subpoena served on him. Instead, Rule 11 places the onus on the lawyer issuing the legal documents—here the filings related to the Petition and the various subpoenas and notices of deposition issued by Mr. Brewer's firm on behalf of Bryant. In this case it could be true, as Petitioner suggests, that Mr. Donehue simply wanted to give his testimony and did not care whether the subpoena was enforceable or not. However, that was his prerogative. By issuing the subject legal documents, it is Petitioner's counsel to whom the obligations of Rules 11 and 27 apply.

Here counsel for Petitioner appears to have knowingly filed a deficient Petition as well as issued various subpoenas for depositions which had not been sanctioned or ordered by the Court as required by Rule 27. By signing and issuing these documents Petitioner's counsel triggered the requirements of Rule 11. *See generally, Matter of Fabri*, 418 S.C. 384, 391, 793 S.E.2d 306, 310 (2016) (finding that by signing a subpoena an attorney warranted compliance with the applicable rule and triggered the corresponding ethical obligations). What Mr. Donehue did (or did not do) in response to these subpoenas makes no difference to the issue currently before the Court because Mr. Donehue's conduct does not absolve Petitioner and his counsel of the obligations under Rule 11.

At bottom, the Notes to Rule 27 make it plain that "it is not a method of discovery before suit is brought." Yet that is precisely how Petitioner sought to use it, and in a manner that left its discovery efforts undetectable, even to someone who may have been looking. Such action was without regard for the requirements of Rule 27, and by extension, Rule 11.[7] Petitioner could have sought the discovery he desired either by filing a proper petition under Rule 27; or by commencing a lawsuit and pursuing discovery and depositions in the ordinary ways under Rules 26, 30, and/or 45; or even by seeking an order approving an independent action for document discovery against a non-party pursuant to Rule 34(c), SCRCP (stating "this rule does not preclude an independent action against a person not a party for production of documents") *see e.g., Wofford v. Ethyl Corp.*, 316 S.C. 75, 77, 447 S.E.2d 187, 189 (1994) (recognizing that under some circumstances such an action may be permitted). However, in this case Petitioner did none of those. Instead, it proceeded

[7] The Court additionally notes that counsel for Petitioner also issued several Notices of Depositions, each stating the deposition(s) would be pursuant to Rule 30, SCRCP. However, in this action pending under Rule 27, that was not the case.

under a plainly deficient Rule 27 petition and issued subpoenas in a manner wholly inconsistent with that Rule.

In sum, the Court finds that Petitioner's counsel violated Rule 11 because there is no reasonable or good faith basis to believe that there were good grounds to support the conduct or course of action employed here. *See* Rule 11, SCRCP (through his signature on legal papers a lawyer warrants "there is good ground to support it."). The Court notes that Petitioner claims it was simply seeking ways to combat what it alleges to be Rep. Mace's unfair and improper exploiting of the power of her bully pulpit. However, even if that were true, it would not justify the disregard of the Rules of Court. Thus, the only remaining issue for this Court to consider is the appropriate scope and amount of sanctions that should be ordered.

III. The Appropriate Scope & Amount of Sanctions

In this case, Intervenors request both non-monetary and monetary sanctions. As a non-monetary sanction, Intervenors seek to have Petitioner turn over all discovery obtained in violation of Rule 27. As monetary sanctions, they seek their attorney fees and costs—Rep. Mace seeking $33,456.74 in fees and costs incurred to the Wyndam Law Firm, and Doe seeking $34,181.74 in fees and costs incurred to the Mullaney Law Firm.[8]

[8] In her initial brief Rep. Mace requested unspecified sanctions under Rule 11, and in her supplemental brief clarified her request to be for attorney fees and to have the Court order that all unauthorized discovery obtained by GLT2 be turned over. Neither of these briefs make a clear request to recover attorney fees for out of state campaign counsel. To the extent such a request is made it is addressed below. As for Doe, her initial brief requested four items of sanctions: (1) Dismissal of the Rule 27 Petition; (2) Attorney Fees; (3) to exclude Donehue as a witness in an unrelated lawsuit between GLT2 and Doe; and (4) to turn over all unauthorized discovery obtained by GLT2. However, in her supplemental brief Doe limits her requested sanctions to attorney fees and release of the unauthorized discovery. To the extent Doe maintains her request for dismissal of the petitioner, that has already occurred. Further as set forth below the Court declines to exclude Donehue as a witness or otherwise interfere with any separate pending litigation.

As a threshold matter, the parties did not cite, and the Court is not aware of, any controlling South Carolina authority specifically addressing violations of Rule 27, SCRCP. However, as it concerns Rule 11, "a party and/or the party's attorney may be sanctioned for filing a frivolous pleading, motion, or other paper, or for making frivolous arguments." *Runyon v. Wright*, 322 S.C. 15, 19, 471 S.E.2d 160, 162 (1996). Our Supreme Court has explained that "[t]he sanction may include an order to pay the reasonable costs and attorney's fees incurred by the party or parties defending against the frivolous action or action brought in bad faith, a reasonable fine to be paid to the court, or a directive of a nonmonetary nature designed to deter the party or the party's attorney from bringing any future frivolous action or action in bad faith." *Id.* It is also clear that "if appropriate under the facts of the case, the court may order a party and/or the party's attorney to pay a reasonable monetary penalty to the party or parties defending against the frivolous action or action brought in bad faith." *Id.*[9]

Although Petitioner's conduct violates Rule 11, because it stems from improper subpoenas and depositions, it is also similar to a discovery abuse. In that context the Court of Appeals has explained "[j]udges must use their authority to make sure that abusive deposition tactics and other forms of discovery abuse do not succeed in their ultimate goal: achieving success through abuse of the discovery rules rather than by the rule of law." *Jamison v. Ford Motor Co.*, 373 S.C. 248, 270, 644 S.E.2d 755, 766 (Ct. App. 2007) *citing In re Anonymous Member of the S.C. Bar*, 346 S.C. 177, 194, 552 S.E.2d 10, 18 (2001) *and Griffin Grading & Clearing, Inc. v. Tire Serv. Equip.*

[9] "The standard for sanctions under Rule 11 is essentially the same as that of the FCPSA [i.e., the Frivolous Civil Proceedings Sanctions Act]." *Father v. S.C. Dep't of Soc. Servs.*, 353 S.C. 254, 262, 578 S.E.2d 11, 15 (2003) *comparing Runyon v. Wright*, 322 S.C. 15, 471 S.E.2d 160 (1996) (concerning Rule 11 sanctions) *with Pool v. Pool*, 321 S.C. 84, 467 S.E.2d 753 (Ct.App.1996), *aff'd as modified*, 329 S.C. 324, 494 S.E.2d 820 (1998) (explaining the standard for FCPSA sanctions).

Mfg. Co., Inc., 334 S.C. 193, 198, 511 S.E.2d 716, 719 (Ct.App.1999)). Similarly, our Supreme Court has recently instructed that "[a]ny sanction imposed [for discovery abuse] must be sufficient to vindicate the important rights the discovery rules guarantee and the essential tools they provide to allow lawyers to prepare their clients' cases for trial." *Welch v. Advance Auto Parts, Inc.*, 445 S.C. 640, 655–56, 916 S.E.2d 320, 328 (2025).

In finding that Rule 11 sanctions are appropriate here, the Court wants to be clear that this Order should not be interpreted to expand the scope of Rule 11 by suggesting a non-party may intervene solely for the purpose of seeking sanctions. The ability to pursue sanctions under Rule 11 is typically triggered when a litigant is forced to defend against a frivolous or improper proceeding. *See e.g. Runyon*, 322 S.C. at 19, 471 S.E.2d at 162 (explaining sanctions may be awarded to "the party or parties *defending* against the frivolous action.") (emphasis added). In that situation our Supreme Court has recognized that the sanctions permitted under Rule11 properly include *both* the attorney fees and costs incurred in defending against the improper proceeding and those incurred in pursuing the sanctions. *See Ex parte Gregory*, 378 S.C. 430, 440, 663 S.E.2d 46, 52 (2008) (in an appeal from an award of sanctions under Rule 11, the Supreme Court rejected the argument that the "portion of the award" for the attorney fees and costs incurred in pursuing sanctions was not permissible). However, no appellate court has recognized the right to pursue or collect Rule 11 sanctions in the absence of having also incurred attorney fees and costs in defending against the underlying improper proceeding. Thus, when considering the novel facts of this case—*i.e.*, that Petitioner's misconduct deprived Intervenors of the right to defend the improper Rule 27 Petition—the Court is warry that a cunning litigator may incorrectly point to this Order as having done just that. But it does not.

It is true that the typical situation regarding Rule 11 sanctions involves a party that was forced to *defend* against an improper proceeding. *See e.g. Runyon* (*supra*). It could be said that because Intervenors were not made parties to the improper Rule 27 Petition, they were not technically forced to *defend* against it. However, it was precisely Petitioner's failure to include Intervenors in the Rule 27 action that (among other things) constitutes the violation of Rule 11. As potential targets of the Rule 27 action, once they learned of the action, they had no way to know what, if any, additional discovery may have been planned. As a result, to avoid losing the protections of Rule 27, Intervenors were left with no practical choice but to seek to intervene. While Intervenors may not have been forced to "defend" the Rule 27 Petition in the technical sense that is only because Petitioner denied them the opportunity. Therefore, because Petitioner's improper conduct effectively forced Intervenors to respond by seeking intervention, the Court is satisfied that Intervenors' request for sanctions falls within the ambit of those contemplated by Rule 11 and does not expand the application of this Rule beyond that which our courts have already recognized.[10]

A. Nonmonetary Sanctions under Rule 11.

First, as to nonmonetary sanctions, the Court finds Intervenors' request that Petitioner turn over all ill-gotten discovery to be reasonable. Therefore, to the extent not done so already, electronic copies of all statements, affidavits, transcripts, or other materials obtained from Witness

[10] This point was not raised by the parties. Rather, the Court raises this point only to ensure that this Order is not interpreted to recognize or adopt any right, claim, or cause of action by which a party who is neither related to, nor involved with a lawsuit could nonetheless intervene solely for the purpose of seeking sanctions. Rule 11 contemplates sanctions in favor of those toward whom the offensive conduct is directed. It does not contemplate allowing strangers or non-litigants to seek sanctions as a way of policing lawyer or litigant conduct they find offensive that is not otherwise directed at them. But this is not that case.

1, Witness 3, and Mr. Donehue and which were provided to the Court *in camera* and labeled as Exhibits "A" through "M" should be provided to Intervenors.

B. Monetary Sanctions/Attorney Fees Under Rule 11.

As it concerns an award of attorney fees as a sanction under Rule 11, our Supreme Court has instructed that such an award is within the Court's discretion provided it is reasonable based on consideration of the six *Glasscock* factors. *See Bauknight as Tr. of James Brown 2000 Irrevocable Tr. v. Pope*, 445 S.C. 408, 419, 914 S.E.2d 848, 854 (2025). Those six factors are: "(1) the nature, extent, and difficulty of the case; (2) the time necessarily devoted to the case; (3) professional standing of counsel; (4) contingency of compensation; (5) beneficial results obtained; (6) customary legal fees for similar services" *Id. citing Glasscock v. Glasscock*, 304 S.C. 158, 403 S.E.2d 313 (1991).

(i) Attorney Fees for Rep. Mace

The Wyndam Law Firm, as Counsel for Rep. Mace submitted an invoice reflecting 95.5 hours of work at a rate of $350.00 per hour (with an additional 7.7 hours not billed) plus $31.74 in costs. Of the total hours billed, 80.1 hours were incurred prior to the initial hearing on July 14, 2025, and 15.5 hours were incurred after that hearing in response to the Court's request(s) for additional information. In consideration of the *Glasscock* factors the Court finds: First, this matter is admittedly novel, and there is little authority guiding the issues of intervention or violations of Rule 27. However, at least as far as it is concerned the violations of Rule 27, although novel, the matter is not particularly complicated. Instead, the Rule 27 deficiencies complained of by Intervenors in this case are, for the most part, plainly apparent from the face of the Petition itself. Similarly, the evidence including the various subpoenas, statements, and deposition testimony of Donehue, all plainly confirms that Rep. Mace was an intended subject and potential adverse party

of the Rule 27 petition. With this in mind, and in consideration of the second *Glasscock* factor, the Court finds that time spent was reasonable and necessarily incurred.

Next, the Court finds that the professional standing of Rep. Mace's counsel at the Wyndam Law Firm is high. Both Mr. and Ms. Wyndam have the requisite experience to handle this matter, and both are well regarded among the local bar. The fourth factor concerning contingency of compensation is relevant to the extent that the Court recognizes that but for Rep. Mace's efforts to pursue intervention the underlying conduct may not have been brought the Court's attention. On the fifth factor, counsel for Rep. Mace was successful in obtaining a favorable and beneficial result by clearly establishing Rep. Mace as a target of the improper Rule 27 action and related discovery efforts. Finally, on the sixth factor, the Court finds that the hourly rate of Rep. Mace's counsel of $350.00 per hour is well within that which is normal and customary in the area for counsel of comparable standing and experience.

Therefore, the Court finds that Rep. Mace's request for attorney fees and costs incurred to the Wyndam Law Firm are reasonable and that sanctions are properly ordered in the amount of $33,456.74.

The Court is uncertain whether Rep. Mace is also seeking to recover attorney fees incurred to the out-of-state lawyers who provided campaign counsel. After inquiring of this at the hearing, the Court was left with the impression that if those fees were sought, an affidavit in support would have been timely filed. But it was not. Similarly, although these out-of-state lawyers were briefly alluded to in the affidavits of Mr. and Ms. Wyndam submitted in support of their own fees, a request for these fees was not specifically referenced in Rep. Mace's brief on this issue

Although not filed, the August 15, 2025, invoice and declaration in support of Campaign Counsel fees were emailed on October 23, 2025. However, this was well after the Court's August

26, 2025, deadline as well as the October 10, 2025, hearing that was held to address the propriety of any claimed attorney fees. As a result, Petitioner has been denied the ability to respond. Accordingly, equity and fairness dictate that to the extent a request is being made for the fees incurred for Campaign Counsel, that request is untimely.

Moreover, even if such a request were properly before the Court, the *Glasscock* factors would likely not support awarding these fees. First there is no explanation of why so much time which should have appeared on the July invoice was added to the later supplied August invoice. This creates doubt as to the second *Glasscock* factor. Also, no hourly rate is provided for the various entries, thus the sixth *Glasscock* factor cannot fairly be evaluated. Moreover, of the 31.4 hours included on the Campaign Counsel invoice, roughly 12 hours are for editing the documents and memoranda prepared by both Rep. Mace and Doe's South Carolina attorneys, and roughly 13 hours were spent for multiple different lawyers to review and analyze Donehue's deposition transcript. Such duplication of the work already done by Rep. Mace's South Carolina lawyers was not reasonably necessary when considering the first and second *Glasscock* factors. Therefore, even if there had been a timely request for Campaign Counsel fees, the *Glasscock* factors would not warrant awarding those fees.

(ii) *Attorney Fees for Doe.*

Counsel for Doe submitted an invoice reflecting 98 hours of work devoted to this matter at $350.00 per hour plus $31.74 in costs. Of the total of hours billed, 66.4 hours were incurred prior to the Court's initial hearing on July 24, 2025, and 31.6 hours were incurred after, in response to the Court's request(s) for additional information. On review of the *Glasscock* factors, the Court finds that Doe's counsel holds equally high esteem among her peers in the bar and that her hourly rate of $350.00 is also well within that which is customary and reasonable for the area.

Accordingly, the Court finds that *Glasscock* factors (1), (3), and (6) apply and should be weighed the same for Doe as they did for Rep. Mace. However, the Court finds factors (2), (4), and (5) weigh differently as to Doe than to Rep. Mace.

On the second *Glasscock* factor the Court finds that there was duplication of efforts that were largely already done by counsel for Rep. Mace who filed their motion to intervene and for sanctions two weeks prior to Doe. Considering that the majority of the defects in the Rule 27 Petition were clear from the face of the petition itself, this duplication of effort was not reasonably necessary. Likewise, roughly a third (1/3) of the time incurred by Doe (more than 31 hours) came after the initial hearing on July 24, 2025, in responding to the Court's request for supplementation. By contrast Rep. Mace incurred only 15 hours for this—less than half of Doe's—and the arguments offered were largely the same. Similarly, upon review of the time incurred prior to the hearing the Court finds that a substantial number of entries are devoted to strategizing not only with Rep. Mace's South Carolina counsel, but also with Rep. Mace's campaign counsel. Extensive joint strategy of this type was not reasonably necessary when considering the nature of Doe's request to intervene and for sanctions.

In addition, unlike Rep. Mace, Doe's connection to of the Rule 27 Petitioner and the improper discovery is more attenuated and speculative. Even if Petitioner complied with the requirements of Rule 27 it is unclear whether Doe—who is anonymous—could have been provided notice or been given the opportunity to fully participate in the underlying Rule 27 petition.[11] Thus,

[11] Further, and even if Petitioner were charged with knowing the identity of Doe much of the harm she claims from the unauthorized deposition and discovery is prejudice in the unrelated lawsuit between her and Bryant and GLT2 (*i.e.*, Case No. 2025-CP-10-03124). To the extent Doe has been prejudiced in that other lawsuit, Doe can seek redress in the context of that action. This action is not the forum best suited to address those assertions. Further, nothing in this Order should be interpreted as prejudicing Doe's ability to seek non-monetary sanctions in that, or any other matter pending between her, Braynt and/or GLT2.

when considering the fifth *Glasscock* factor (*i.e.*, beneficial results obtained) the Court finds this factor weighs differently for Doe than Rep. Mace. Where the facts clearly established that Rep. Mace was the target of the Rule 27 Petition and the improper discovery tactics, Doe was not able to establish this to the same degree. Also, although Doe was successful in bringing Petitioner's conduct to the attention of the Court, this was likewise accomplished by Rep. Mace's motion which was filed two weeks prior. Thus, the fourth *Glasscock* factor would likewise weigh differently for Doe.

This Court's finding on these factors is not intended to diminish the severity of Petitioner's conduct or the quality of Does efforts in reply. Thus, while application of the *Glasscock* factors in the *typical* way may not support awarding the full amount of Doe's attorney fees, this case is not *typical*, and attorney fees are not the only monetary sanction the Court can consider. Our Supreme Court has also made it plain that a trial court has the authority and discretion to assess a fine or penalty. *See Runyon*, 322 S.C. at 19, 471 S.E.2d at 162 (stating that "if appropriate under the facts of the case, the court may order a party and/or the party's attorney to pay a reasonable monetary penalty to the party or parties defending against the frivolous action").

Therefore, rather than attempting to engage in the exercise of editing Doe's attorney bills line by line, the Court finds that consideration of a monetary penalty is a more efficient and appropriate means of evaluating the proper sanction under the unique circumstances of this case, particularly since a request to consider sanctions is equitable in nature. *See e.g., Se. Site Prep, LLC v. Atl. Coast Builders & Contractors, LLC*, 394 S.C. 97, 104, 713 S.E.2d 650, 653 (Ct. App. 2011) (recognizing a claim concerning the imposition of sanctions under Rule 11 is treated as one in equity).

On this point, of the many peculiarities presented in this case, the Court is specifically mindful of the fact that Doe's inability to establish that she was an intended target or adverse party in this Rule 27 petition was, at least in part, the result of Petitioner's failure to comply with the requirements of Rule 27 and his conducting of secret discovery. While the facts ultimately did not bear out that Doe was the true target of Petitioner's actions she could not have known this without seeking to intervene. Moreover, it cannot be ignored that the pretextual basis alleged by Petitioner for the Rule 27 Petition was to identify potential claimants, of which Doe claims to be. Thus, it would not be unreasonable for Doe to believe she could be a target of Petitioner's conduct even if that ultimately proved not to be the case. Thus, to put it simply, many of Doe's shortcomings on the *Glasscock* factors were Petitioner's fault, not hers.

Ultimately, when all the relevant facts are weighed against Petitioner's improper conduct the Court finds the equities weight in Doe's favor. Therefore, and upon the totality of the circumstances the Court finds that a monetary penalty of $15,000.00 against Petitioner's counsel and payable to Doe, is just and equitable. The Court finds this amount serves to recognize Doe's efforts as well as to deter Petitioner's counsel from this conduct in the future. *See Pee Dee Health Care, P.A.*, 424 S.C. at 533, 818 S.E.2d at 765 (recognizing that among other things, "the primary ... purpose of Rule 11 is to deter future litigation abuse" as well as "compensating the victims of the Rule 11 violation, ... [and] punishing present litigation abuse") (internal citations omitted).

Therefore, it is hereby ordered that Mr. Brewer[12] and/or the Brewer Law Firm, as counsel for Petitioner, pay sanctions as set forth herein.

[12] While Mr. Brewer did not sign all the offensive documents at issue in this case, pursuant to Rule 5.1 of the South Carolina Rules of Professional Responsibility, a supervising attorney and/or partner in a private firm is, (among other things) responsible for the actions of another lawyer in

CONCLUSION

IT IS ORDERED that within 30 days, unless such other time is agreed to by the parties (which should not be unreasonably refused), Barrett Brewer and/or Brewer Law Firm, shall make payment of sanctions as follows: $33,456.74 shall be paid to the Wyndam Law Firm as counsel for Rep. Mace; and $15,00.00 shall be paid to the Mullaney Law Firm as counsel for Doe.

FURTHER, unless it is inconsistent with their retainer agreement(s), the Wyndam Law Firm and the Mullaney Law Firm are authorized to apply the sanction payments received first toward unpaid attorney fees and costs (if any) and thereafter remit the balance (if any) to the appropriate party or parties.

IT IS ALSO ORDERED that within 15 days, counsel for Petitioner shall deliver to counsel for both Rep. Mace and Doe, electronic copies of all affidavits, and witness statements and exhibits that were delivered to the Court for *in camera* review and identified *in camera* as Exhibit A through Exhibit M.

END OF ORDER.

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the firm to the extent the partner ordered the action, knew of the action, ratified the action, or knew of the action in time for the consequences to be avoided but failed to do so. *See e.g.*, Rule 407, SCACR, Rule 5.1(c). Based on the affidavit of Mr. Brewer and the arguments presented in this matter, the Court finds that Mr. Brewer was fully involved and aware of the actions at issue here and is therefore responsible for the sanctions ordered herein. To his credit, Mr. Brewer has made no argument or suggestion he is not the responsible attorney.

Charleston Common Pleas

Case Caption: Glt2 Llc VS Jane Doe , defendant, et al

Case Number: 2025CP1000981

Type: Order/Other

So Ordered

s/ T.J. Rode (#2792)

Electronically signed on 2025-10-30 11:16:50 page 27 of 27

EXHIBIT B

SAXTON & STUMP
LAWYERS AND CONSULTANTS

151 Meeting Street, Suite 400 • Charleston, SC 29401
P: (843) 414-5080 • F: (843) 580-8303

Direct Dial: 843.386.4885
Email: rdukes@saxtonstump.com

April 25, 2025

VIA FIRST-CLASS MAIL
Nancy Mace
900 Island Park Drive, Suite 260
Daniel Island, SC 29492

And

Nancy Mace
295 Seven Farms Drive, Suite C-186
Charleston, SC 29492

Re: Preservation Letter

Dear Rep. Mace:

We represent Assignment Desk Works, LLC, (ADW) in connection with potential legal claims they may have against you, specifically related to your communications with any and all third parties regarding ADW, (including its owners, affiliates, agents, officers, and employees) whether publicly or privately, from March 1, 2024, and continuing forward. Third parties include, but are no limited to, current and former employees of ADW or any of its affiliates, colleagues, reporters, and any other person or entity with whom you have shared information about ADW (including its owners, affiliates, agents, officers, and employees). This request specifically includes all communications—written, oral, digital, or otherwise—with or concerning the following individuals: Alexis "Ali" Berg, Katherine Cockman, Haley Sarvis, Melissa Britton, and Sam Staley. This includes any communications relating to statements made by Alexis "Ali" Berg or her actions that may have caused reputational harm or induced breach of agreements involving ADW, directly or indirectly. All documents, drafts, social media exchanges, messaging app conversations, and correspondence with these individuals are to be preserved in their entirety. The term "you" refers to you, your predecessors, successors, parents, subsidiaries, divisions, affiliates, officers, directors, agents, attorneys, accountants, employees, partners or other persons occupying similar positions or performing similar functions.

You should anticipate that much of the information subject to disclosure or responsive to discovery requests to be served in the action described above is stored on your current and former computer systems, online repositories, cloud-based storage platforms, digital cameras, digital camcorders,

Personal Digital Assistants (PDA), cell phones, calendar, date books, letters, faxes, including all drafts and final versions and text messages.

Electronically stored information (hereafter "ESI") should be afforded the broadest possible definition and includes (by way of example and not as an exclusive list) potentially relevant information electronically, magnetically or optically stored as:

1. Digital communications (e.g., text message, voice messages, e-mail, voicemail,
2. Word processing documents (e.g., Word or WordPerfect documents and drafts);
3. Spreadsheets and Tables (e.g., Excel or Lotus 123 worksheets);
4. Accounting Application Data (e.g., QuickBooks, Money, Peachtree Data Files);
5. Image and Facsimile Files (e.g., PDF, .TIFF, .JPG, .GIF images);
6. Call Logs (e.g., Face-Time, Voicemail);
7. Sound Recordings (e.g., WAV and .MP3 files);
8. Video and Animation (e.g., AVI, .MOV files);
9. Databases (e.g., Access, Oracle, SQL Server data, SAP);
10. Contact and Relationship Management Data (e.g., Outlook and ACT!);
11. Presentations (e.g., PowerPoint, Corel Presentations);
12. Network Access and Server Activity Logs;
13. Project Management Application Data;
14. Computer-Aided Design/Drawing Files;
15. Telegram;
16. WhatsApp;
17. Signal;
18. Backup and Archival Files (e.g., Zip, GHQ);
19. Zip, thumb drives, USB drives, and other storage devices; and
20. Any and all meta data associated with any ESI source.

ESI resides not only in areas of electronic, magnetic, and optical storage media reasonably accessible to you but also in areas you may deem not reasonably accessible. You are obligated to preserve potentially relevant evidence from both these sources of ESI, even if you do not anticipate producing such ESI.

The demand that you preserve both accessible and inaccessible ESI is reasonable and necessary. Please be aware that even ESI that you deem reasonably inaccessible must be preserved in the interim so as not to deprive my clients of their right to secure evidence or the Court of its right to adjudicate the issue.

Preservation Requires Immediate Intervention

If you have not already done so, you must act immediately to preserve potentially relevant ESI, including, without limitation, information with the earlier date of a Created or Last Modified date on or after March 1, 2024, and in any way relating to the matter mentioned above. You must maintain the computer(s), video cameras, answering machines, security cameras, recording devices, tape recorder, digital recorders, cell phones, PDAs and any of its component parts, calendars, date books, notes, letters, faxes, to include all drafts and final versions.

Adequate preservation of ESI requires more than simply refraining from efforts to destroy or dispose of such evidence. You must also intervene to prevent loss due to routine operations and employ proper techniques and protocols suited to protecting ESI. *Be advised that sources of ESI are altered and erased by continued use of your computers and other devices.* Booting a drive, examining its contents, or running any application will irretrievably alter the evidence it contains and may constitute unlawful spoliation of evidence. Consequently, alteration and erasure may result from your failure to act diligently and responsibly to prevent the loss or corruption of ESL. *Nothing in this demand for preservation for ESI should be understood to diminish your concurrent obligation to preserve documents, tangible things, and other potentially relevant evidence.*

Suspension of Routine Destruction

You are directed to initiate a **LITIGATION HOLD** immediately for potentially relevant ESI, documents, and tangible things. You must act diligently and in good faith to secure and audit compliance with such litigation hold. You are further directed to immediately identify and modify or suspend features of your information systems and devices that, in routine operation, operate to cause the loss of potentially relevant ESL. Examples of such features and operations include:

1. Purging the contents of e-mail repositories by age, capacity, or other criteria;
2. Using data or metadata wiping, disposal, erasure, or encryption utilities or devices;
3. Overwriting, erasing, destroying, or discarding backup media;
4. Re-assigning, re-imagining, or disposing of systems, servers, devices, and/or media;
5. Running antivirus or other programs effecting wholesale metadata alteration;
6. Releasing or purging online storage repositories;
7. Using metadata stripper utilities;
8. Disabling server or IM logging; and
9. Executing drive or file defragmentation or compression programs.

Guard Against Deletion

You should anticipate that your employees, officers, or others may seek to hide, destroy or alter ESI and act to prevent or guard against such actions. Especially where your machines have been used for internet access or personal communications, you should anticipate that users may seek to delete or destroy information that they regard as personal, confidential or embarrassing and, in so doing, may also delete or destroy potentially relevant ESL This concern is not one unique to you or your agents. It is simply an event that occurs with such regularity in electronic discovery efforts

that any custodian of ESI and their counsel are obliged to anticipate and guard against its occurrence.

You should take affirmative steps to prevent anyone with access to your data, systems, and archives from seeking to modify, destroy, or hide electronic evidence on network or local hard drives (such as by deleting or overwriting files, using data shredding and overwriting applications, defragmentation, re-imaging or replacing drives, encryption, compression, stenography or the like). Concerning local hard drives, one way to protect existing data on local hard drives is by creating and authenticating a forensically qualified image of all drive sectors. Be advised that a conventional hard drive backup is not a forensically qualified image because it only captures active, unlocked data files and fails to preserve forensically significant data that may exist in unallocated space, slack space and the swap file.

Once obtained, each forensically qualified image should be labeled to identify the date of acquisition, the person or entity acquiring the image, and the system and medium from which it was obtained. Each such image should be preserved without alteration.

You should anticipate that certain ESI, including but not limited to spreadsheets and databases, will be sought in the form or forms in which it is ordinarily maintained. Accordingly, you should preserve ESI in such native forms, and you should not select methods to preserve ESI that remove or degrade the ability to search your ESI electronically or make it difficult or burdensome to access or use the information efficiently in the litigation. You should additionally refrain from actions that shift ESI from reasonably accessible media and forms to less accessible media and forms if the effect of such actions is to make such ESI not reasonably accessible.

You should further anticipate the need to disclose and produce system and application metadata and act to preserve it. System metadata is information describing the history and characteristics of other ESL. This information is typically associated with tracking or managing an electronic file and often includes data reflecting a file's name, size, custodian, location, dates of creation and last modification or access. Application metadata is information automatically included or embedded in electronic files that may not be apparent to a user, including deleted content, draft language, commentary, collaboration and distribution data, and dates of creation and printing. Be advised that metadata may be overwritten or corrupted by careless handling or improper steps to preserve ESL. For electronic mail, metadata includes all header routing data, Base 64 encoded attachment data, and the To, From, Subject, Received Date, CC, and BCC fields.

1. Servers

Concerning servers like those used to manage electronic mail (e.g., Microsoft Exchange Lotus Domino) or network storage (often called a user's "network share"), the complete contents of each user's network share and email account should be preserved. There are several ways to preserve the contents of a server, depending on its RAID configuration and whether it can be downed or must be online 24/7. If you question whether the preservation method you pursue is one that we will accept as sufficient, please call to discuss it.

2. Home systems, Laptops, Online Accounts and Other ESI Venues

Although we expect you to act swiftly to preserve data on your workstations and servers, you should also determine if any home or portable systems may contain potentially relevant data. To the extent that you or your agents have sent or received potentially relevant e-mail or created or reviewed potentially relevant documents away from your home or office, you must preserve the contents of systems, devices, and media used for these purposes (including not only potentially relevant data from portable and home computers but also from portable thumb drives, CD-R disks and the user's PDA, smartphone, voice mailbox or other form of ESI storage). Similarly, if you or your agents used online or browser-based-e-mail accounts and services (such as AOL, Gmail, Yahoo, or the like) to send or receive potentially relevant messages and attachments, the contents of these account mailboxes (including Sent, Deleted, and Archived Message folders) should be preserved.

3. Ancillary Preservation

You must preserve the documents and other tangible items that may be required to access, interpret, or search potentially relevant ESI, including logs control sheets, specifications, indices, naming protocols, file lists, network diagrams, flow charts, instruction sheets, data entry forms, abbreviation keys, User ID and password rosters or the like.

You must preserve any passwords, keys, or other authenticators required to access encrypted files or run applications, as well as installation disks, user manuals, and license keys for applications required to access the ESI.

If needed to access or interpret media on which ESI is stored, you must preserve any cabling, drivers, and hardware other than a standard 3.5' floppy disk drive or standard CD or DVD optical

The demand that you preserve all documents, tangible things, ESI, both accessible and inaccessible, and other potentially relevant evidence is reasonable and necessary. Accordingly, even ESI that you deem reasonably inaccessible must be preserved so as not to deprive my client of their right to secure evidence or the Court of its right to adjudicate the issue.

We thank you in advance for your attention to this matter. Please do not hesitate to contact us if you should have any questions or concerns.

Sincerely,

Rene Stuhr Dukes

Rene Stuhr Dukes, Esq.
SAXTON & STUMP

RSD/ekb

cc: Shawn Moffatt (via email)

EXHIBIT C

South Carolina
STATE LAW ENFORCEMENT DIVISION

P.O. Box 21398
Columbia, South Carolina
29221-1398

Henry D. McMaster, Governor
Mark A. Keel, Chief

WWW.SLED.SC.GOV
(803) 737-9000

December 23, 2025

Via Email To: nralephata@grsm.com
Nosizi Ralephata, Esquire
Gordon & Rees, LLP
677 King Street, Suite 450
Charleston, SC 29403

Re: Bryant v. Mace et al.
Case No.: 2025-CP-10-03124

Dear Attorney Ralephata:

Pursuant to Rule 45 of the South Carolina Rules of Civil Procedure, please allow this correspondence to serve as SLED's formal objection to your subpoena in which your client, the subject of an ongoing SLED criminal investigation, is seeking all law enforcement records *during* the ongoing investigation. To be frank, this is an unprecedented attempt to circumvent the criminal justice discovery process by an individual seeking premature access to the entirety of SLED's investigative materials during the investigation. SLED's position is that SLED's investigative file is comprised entirely of sensitive law enforcement records, not otherwise available by state and federal law, that were compiled in the process of detecting and investigating crime, the premature disclosure of which would absolutely harm SLED and its prospective law enforcement action in this matter; including SLED's ongoing and active criminal investigation, any forthcoming prosecution that may be determined warranted by the appropriate prosecutor, and the constitutional guarantees to *all involved* and associated therewith. As such, SLED hereby objects to the production of any materials in this ongoing criminal investigation *at this time*. *See*, Rule 26(b), SCRCP; Rule 45(d)(1), SCRCP; Rule 45(d)(3), SCRCP.

SLED also believes that this subpoena disregards the constitutional procedures employed for decades in the criminal justice system. Put simply, there is absolutely no constitutional right for the subject of an investigation to access law enforcement investigative materials prior to an arrest or to the conclusion of an investigation, which this subpoena clearly represents. Allowing such premature access to records during an ongoing investigation is a dangerous precedent that SLED will not willingly undertake. SLED's concern goes beyond this case in that SLED routinely investigates murderers, drug cartels, human trafficking organizations, public corruption, and all manner of dangerous or violent individuals. To that end, SLED can no more allow your client premature access than SLED could allow any other subject of any other SLED investigation as this would be catastrophic to the criminal justice system. Put simply, the havoc that would befall the criminal justice system if every subject of a SLED investigation could gain access to SLED's investigative materials, including confidential witness information, by simply filing a civil action and sending a civil records subpoena is immeasurable.

With that being said, there are clearly established constitutional methods of obtaining records from a law enforcement investigation that are applicable at the appropriate time. To that end, on January 15, 2025, the South Carolina Supreme Court issued the attached General Sessions Docket Management Order, setting forth specific timelines for the production of discovery in criminal cases. This Order acknowledges and incorporates the existing criminal discovery rules (Rule 5 of the South Carolina Rules of Criminal Procedure, *Brady v. Maryland*, 373 U.S. 83 (1932), and the progeny of *Brady*) and mandates that the production of discovery begins within thirty (30) days of law enforcement making an arrest of an individual. This subpoena is in blatant disregard of these established procedures, which exist to ensure the integrity of ongoing investigations as well as safeguard the rights of all involved in the criminal justice process, including subjects, victims, and witnesses. Accordingly, SLED must object.

Further, this subpoena does not "take reasonable steps to avoid imposing undue burden or expense" on SLED as required by Rule 45(c)(1) of the South Carolina Rules of Civil Procedure. The sheer volume of information sought is unduly burdensome in the time afforded for compliance. Similarly, this subpoena does not account for or address privileged or protected information and therefore does not comport with the spirit and intent of Rule 45(c)(3)(A)(iii) of the South Carolina Rules of Civil Procedure, which protects such information. Finally, this "records" subpoena also purports to require SLED to somehow produce an individual to testify about SLED's investigation without any limitation, direction, or basis whatsoever. SLED cannot be compelled to produce an individual in this manner, and this requirement has no validity whatsoever and also violates spirit and intent of the South Carolina Rules of Civil Procedure.

In addition, procedurally, this subpoena was not served on SLED in accordance with the requirements of Rule 4 of the South Carolina Rules of Civil Procedure. SLED is a state agency, the service of which is governed by Rule 4(d)(5) of the South Carolina Rules of Civil Procedure, which, upon information and belief, was not complied with in this matter.

Finally, as I previously noted at the October 22, 2025, hearing in this matter, SLED will produce non-privileged and responsive materials in this matter *at the appropriate time*. In that regard, if there is a criminal prosecution, SLED will comply with all criminal discovery requirements. *See supra*. If, however, there is no criminal case initiated, SLED will work with all involved to produce the appropriate responsive materials as soon as is reasonably possible. However, SLED asserts that this attempt to require production during SLED's ongoing investigation is not the appropriate or allowable time and SLED therefore formally opposes such in accordance with Rule 45 of the South Carolina Rules of Civil Procedure. SLED additionally hereby reserves all privileges and immunities applicable to the documents or information sought and all other arguments applicable to this matter.

Sincerely,

Adam L. Whitsett
SLED General Counsel

Enclosure – listed in text

The Supreme Court of South Carolina

RE: General Sessions Docket Management Order (As Amended January 15, 2025)[1]

Appellate Case No. 2023-000806

ORDER

General Sessions Docket Management Order

Preamble

In an efficient criminal justice system, cases should be disposed of within months instead of years, regardless of whether defendants go to trial, plead guilty, enter into a diversion program, or have their cases dismissed. In order for the system to function optimally, the judicial and executive branches of government must share responsibility. This must be a cooperative effort. In furtherance of this effort, the Court issues this Order to establish a framework for an efficient criminal justice system.[2] The Court notes no order from the Supreme Court will ensure an efficient criminal justice system unless there are sufficient numbers of prosecutors and public defenders in each circuit and county. Nor will any order succeed unless the circuit judges, this Court, Clerks of Court, and the attorneys do their part in ensuring cases are disposed of efficiently and justly. Solicitors shall deliver a copy of this Order to the Sheriffs in their circuits and to all local police departments in their circuits. This Court will deliver a copy of this Order to the Chief of the South Carolina Law Enforcement Division.

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[1] This Order was initially issued on May 24, 2023. The January 15, 2025 amendment alters the language of paragraph (a)(2)(B) to make it consistent with the existing language in paragraph (b)(1)(F).

[2] The preservation of crime victims' rights is not directly addressed in this Order; however, the Court reminds all prosecutors, defense counsel, and circuit judges that applicable statutes and constitutional provisions—and case law interpreting the same—are to be followed.

This Order will be amended as necessary from time to time to reflect best practices in the court of General Sessions. Good faith input from all participants is critical.

There must be an emphasis on the disposition of older cases and addressing new cases as they come into the system. The jury trial is a crucial stage of the criminal justice system and, accordingly, jury trials receive the most attention from the public. However, the vast percentage of cases are disposed of by diversion programs, guilty pleas, and dismissals. South Carolina Court Administration data supports this conclusion. The courtroom must run efficiently; however, the Court recognizes that what happens "in court" is directly related to the degree of preparation that takes place beforehand. Therefore, prosecutors and defense attorneys must have time to receive and prepare cases outside of court.

This Order recognizes those truths and assists the litigants in achieving the cooperative goal of efficiently and fairly moving cases through the General Sessions system. It is also the Court's intention that the South Carolina Solicitors will develop, in their respective offices, a three-tier system in which prosecutors (1) take in and examine, or "triage" new cases as they come into the system, (2) prepare for court, and (3) present guilty pleas, participate in motion hearings and other pertinent pre-trial matters, and try cases in the courtroom. A Solicitor's triage system shall ensure that new cases are disposed of quickly and not left on dockets for an extended time. Further, a team of prosecutors preparing for court and a separate team of prosecutors running court will ensure that court time is not wasted.

Because public defenders must also have adequate time to resolve cases outside of court and must have adequate time to prepare for court, it would be beneficial for the Chief Public Defenders to create a similar system tailored to their respective Solicitor's system. For example, while the Chief Public Defender may not have the need for a triage system, the Chief Public Defender should allocate adequate resources to post a public defender at the local detention facility to interview arrestees and establish preliminary contact with the triage solicitor during the early stages of a case.

The Court acknowledges that the procedure for screening defendants for qualification for appointed counsel differs from circuit to circuit. At some point in the future, a uniform procedure for screening must be implemented. At this time, the Court encourages bond court judges to conduct the screening, but if bond court judges do not do so, screening must be conducted as soon as possible; therefore, in

those circuits in which screening is conducted by the Chief Public Defender, the screening should be conducted before a defendant's Initial Appearance. By July 1, 2024, the Court shall implement a uniform system for screening defendants for qualification for appointed counsel.

In most circuits, it will take additional resources, primarily in the form of additional attorneys, for the Solicitors and the Chief Public Defenders to put such systems into place. As increased attorney staffing becomes a reality, the Court strongly suggests each Solicitor develop a satisfactory version of the foregoing three-tiered plan and notify the Chief Judge for Administrative Purposes (CJAP) for that circuit of the plan.

In *State v. Langford*, 400 S.C. 421, 735 S.E.2d 471 (2012), this Court held unconstitutional a statute giving the Solicitor the *exclusive* authority over the docketing and calling of cases for trial. The Court held that because the Solicitors are a part of the executive branch of government, granting them exclusive authority to run the trial docket infringed on the judicial branch's authority and was, therefore, a violation of the separation of powers doctrine. In discussing the nuances of the doctrine of separation of powers, the Court noted,

> "[A] usurpation of powers exists, for purposes of [the] constitutional separation of powers doctrine, when there is a significant interference by one branch of government with the operations of another branch." This rule is not fixed and immutable, however, as there are grey areas which are "tolerated in complex areas of government." There consequently is "some overlap of authority and some encroachment to a limited degree." ("Separation of powers does not require that the branches of government be hermetically sealed; the doctrine of separation requires a cooperative accommodation among the three branches of government; a rigid and inflexible classification of powers would render government unworkable."). At its core, the doctrine therefore "is directed only to those powers which belong exclusively to a single branch of government."

Langford, 400 S.C. at 434-35, 735 S.E.2d at 478 (citations omitted).

The *Langford* Court did not prohibit Solicitors from being involved in the docketing process as long as the trial judge has ultimate authority over the setting and calling of a case for trial. The Court recognizes Solicitors cannot perform their duties without having meaningful input into the operation of the General Sessions

docket. Unlike the Common Pleas docket, one lawyer—the Solicitor—is responsible for the prosecution of almost all cases comprising the docket. Solicitors, as the prosecuting authorities in their respective circuits, have the burden of proof and, therefore, the responsibility of securing the attendance of the great majority of witnesses, most of whose schedules must be managed. Accordingly, this Order provides that the Solicitors shall have substantial input into the creation of the trial docket. Defendants also have the burden of securing the attendance of witnesses whose schedules must be managed and, therefore, due consideration is to be given to defendants in the scheduling of cases for trial. In all instances, the creation of the trial docket shall be within the parameters outlined in this Order.

The backlog of old cases brought on by the COVID-19 shutdown must be addressed and older cases disposed of. However, it is not enough that cases are disposed of; how cases are disposed of is paramount. All cases must be handled within the singular focus of obtaining justice. This Order vacates and supersedes any existing county or circuit-level differentiated case management or trial scheduling orders. Accordingly, all General Sessions cases shall be processed under the minimum procedures provided for in this Order.[3]

(a) Initial Appearance, Discovery, and Second Appearance.

(1) Initial Appearance.

(A) If, after arrest, a defendant appears at a bond proceeding before a magistrate or summary court judge, the judge shall provide notice to the defendant of the date, time, and location of the Initial Appearance in accordance with a pre-arranged schedule developed by the Solicitor or by the CJAP. The CJAP is not required to preside over Initial Appearances, but may do so from time to time in his or her discretion.

(B) If the defendant has obtained counsel and counsel has notified the Solicitor of such representation and has provided the Clerk of Court with the defendant's correct address and telephone number, neither the defendant nor his counsel will be required to attend the Initial Appearance, unless the defendant has mental health issues requiring a hearing and/or court order mandating an evaluation. The defendant may move for protection against prosecution pursuant to the Protection of Persons and Property Act at the

[3] Failure to comply with a provision contained in this Order shall not, in and of itself, be a ground for dismissal of a charge.

Initial Appearance. *See* S.C. Code Ann. § 16-11-410 to -450 (2015 & Supp. 2022).

(C) An Initial Appearance shall be held in every case in which a defendant does not have counsel. The purposes of the Initial Appearance shall include, but shall not be limited to, inquiry into:

(i) whether the defendant has any mental health issues requiring a hearing and/or an order of the court;

(ii) whether the defendant desires appointed counsel or will retain private counsel, or desires to represent himself;

(iii) whether the defendant who desires appointed counsel has been advised how to apply for appointed counsel.

(D) If a circuit judge presides over the Initial Appearance, *Faretta*[4] warnings shall be given to a defendant who desires to represent himself. If a circuit judge does not preside, *Faretta* warnings will be given during the Second Appearance. The Solicitor or the court shall ensure that the Clerk of Court has been given proper contact information for the unrepresented defendant or self-represented defendant to allow the Clerk to notify the defendant of future court appearances.

(E) To facilitate the giving of *Faretta* warnings during Initial Appearances and Second Appearances when there is not a court reporter present, Court Administration will develop a form to be employed by the court when giving the warnings. A full on-the-record *Faretta* colloquy must be conducted at the earliest opportunity after the *Faretta* form is used.

(F) The prosecuting solicitor must file a Notice of Appearance with the Clerk of Court. If a public defender is assigned to represent a defendant, the public defender must, within ten (10) days of such assignment, file a Notice of Appearance with the Clerk of Court. If the case is later assigned to another solicitor or public defender, the succeeding solicitor or public defender must file a Notice of Appearance. Private counsel must file a Notice of Appearance. If a defendant who was initially represented by the public

[4] *Faretta v. California*, 422 U.S. 806 (1975).

defender or other appointed counsel fully retains private counsel, the public defender must be relieved by order of the court, and private counsel must file a Notice of Appearance.[5] The Notice of Appearance requirement may be satisfied by letter from counsel to the Clerk of Court, provided the letter contains the case name and indictment number(s).

(2) Discovery; General.

(A) Timely and complete production and supplementation of discovery material in accordance with Rule 5 of the South Carolina Rules of Criminal Procedure (SCRCrimP) and *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny is paramount. While the production of *Brady* material is mandatory in every case, the Court notes the production of such material often cannot be made near the beginning of a case because the material may not yet exist; therefore, for the purposes of this Order, the term "discovery" is defined as any material subject to discovery under Rule 5, SCRCrimP. Law enforcement should provide the Solicitor with discovery and available *Brady* material within thirty (30) days of the arrest. The prosecuting solicitor shall regularly monitor all files to ensure prompt, complete, and good faith production of discovery and *Brady* material. Defense counsel shall regularly monitor all files to detect any delay in the State's production of discovery and to ensure defense counsel's own compliance with discovery rules.

(B) As noted below in paragraph (b)(1)(F), the Solicitor shall not list any case on the proposed trial docket in which the State (the Solicitor and law enforcement) has not complied with Rule 5 and *Brady* at the time the proposed docket is transmitted to the CJAP and the Clerk of Court. Communication between the Solicitor and law enforcement (including SLED) and between the Solicitor and defense counsel regarding discovery deficiencies is paramount.

(C) Law enforcement must regularly review case files to ensure compliance with all discovery rules and case law.

(D) Upon receipt of discovery and *Brady* material, defense counsel shall promptly share that information with the defendant unless a court order prohibits defense counsel from sharing any particular item of discovery with

[5] In counties where the Clerk of Court is able to import representation information from the Solicitor or Chief Public Defender, the Notice of Appearance requirement may be satisfied electronically.

the defendant.

(E) If the Solicitor has not received adequate discovery from law enforcement, or if the Solicitor has not been able to gather enough information concerning the validity of the charge, the Solicitor may return the case to law enforcement for further investigation. If thirty (30) days pass after the Solicitor returns the case to law enforcement, and the Solicitor still has not received enough information to properly assess the case, the Solicitor may administratively dismiss the warrant and any related indictment. Within ten (10) days of the administrative dismissal, the Solicitor's office shall notify the Clerk of Court of the dismissal and shall return the matter to law enforcement for further investigation. Administrative dismissals for this reason shall be coded by the Clerk of Court and South Carolina Court Administration as "dismissed: returned to law enforcement for further investigation." The case shall then be removed by the Clerk of Court and Court Administration from the list of pending cases. As there are no statutes of limitation on criminal offenses in South Carolina, the Solicitor may present the case for indictment at a later date if law enforcement provides the necessary evidence.

(3) Second Appearance.

(A) General.

(i) Second Appearances shall be held to facilitate the process of determining: (1) whether the defendant will enter a diversion program, (2) whether the case will be dismissed, (3) whether the defendant will plead guilty, or (4) whether the defendant will go to trial. The dates for Second Appearances shall be scheduled by the CJAP—in consultation with the Solicitor and Chief Public Defender—and shall be presided over by the CJAP or his/her designee. Any "designee" must be a circuit judge.

(ii) If a defendant was not required to attend an Initial Appearance (*see* paragraph (a)(1)(B)), that defendant's Second Appearance shall be held during the fourth month after arrest.

(iii) For those defendants who were required to attend an Initial Appearance, Second Appearances shall be held in murder and criminal sexual conduct cases no later than the seventh month after the date of the Initial Appearance. In all other cases in which a defendant was

required to attend an Initial Appearance, Second Appearances shall be held no later than the fourth month after the Initial Appearance. As the backlog subsides, this Order may be amended to alter these time frames.

(iv) No less than thirty (30) days before the Second Appearance, the prosecuting solicitor shall provide to defense counsel (or to the self-represented defendant) discovery, a plea offer (if one is to be made), and existing *Brady* material. At least twenty-one (21) days before the scheduled Second Appearance, the Solicitor shall notify the Clerk of Court of the cases to be listed on the Second Appearance roster. At least fifteen (15) days before the Second Appearance, the Clerk of Court shall provide notice of the Second Appearance to defense counsel by email through the trial court case management system (CMS),[6] and to the self-represented defendant by regular mail.

(B) Procedure During Second Appearance.

(i) During the Second Appearance, the court shall again inquire of an unrepresented defendant whether the defendant desires counsel or to represent himself. If the defendant desires to represent himself, the court shall provide *Faretta* warnings to the defendant and make appropriate findings. If the defendant desires to be represented by counsel, the court shall require the defendant to secure private representation or apply for a public defender within fourteen (14) days. If the unrepresented defendant desires to be represented by counsel, the Second Appearance shall be rescheduled for the next available date. If the unrepresented defendant unreasonably delays securing private counsel or applying for a public defender, the court will allow the case to move forward.

(ii) At the Second Appearance, at a minimum, the Solicitor shall inform the court:

- whether the Grand Jury has indicted the defendant,
- that the Solicitor provided to defense counsel (or to the self-represented defendant) all discovery and all available *Brady* material at least thirty (30) days prior to the Second Appearance, and

[6] The trial court CMS will use attorney email addresses from the Attorney Information System (AIS). Rule 410(e), SCACR.

- that the Solicitor has provided a plea offer (if one is to be made) to defense counsel or to the self-represented defendant.

(iii) Defense counsel and self-represented defendants shall confirm to the court whether they have received and reviewed:

- discovery,
- any *Brady* material that has been provided, and
- any plea offer.

(iv) The defendant and his counsel (or the self-represented defendant) must inform the court whether the defendant intends to plead guilty or go to trial.

(v) The prosecuting solicitor, defense counsel, or the self-represented defendant should be prepared to notify the court if there are any pretrial issues, the resolution of which could assist the defendant in deciding whether to plead guilty or go to trial. This includes, but is not limited to, motions pursuant to the Protection of Persons and Property Act, and any other motions that, if granted, would prevent the prosecution of the defendant. Defense counsel should also notify the court if the defendant has any mental health issues that should be addressed by the court.

(vi) A representative from the office of the Clerk of Court must be present at the Second Appearance and shall be given information as to the identity of counsel for the defendant and shall enter such information into the Clerk's records. If counsel is substituted, withdraws, or is relieved, such must be memorialized by order of the presiding judge to be delivered to the Clerk of Court for filing and recording in the CMS.

(C) Scheduling. At the Second Appearance, the court may schedule a guilty plea and any motions (except those motions that must be heard by the trial judge) filed by the Solicitor or the defendant. The Clerk of Court will add the plea and any filed motions to the appropriate list of pleas or motions to be heard.

(b) Trial Docket.

(1) General.

(A) The Solicitors should evaluate their caseloads well in advance of the forty-five (45) day deadline set forth in this paragraph and regularly communicate with the CJAP and all defense counsel to ensure orderly and just disposition of pretrial issues and the case itself.

(B) Notwithstanding any provision in this Order, if a speedy trial motion is granted, the CJAP will determine the placement of the case on a proposed trial docket; however, the case will not be placed on a proposed trial docket that has already been presented by the Solicitor to the CJAP and Clerk of Court unless the Solicitor and defense counsel (or the self-represented defendant) agree.

(C) Notwithstanding any provision in this Order, if the Attorney General and the Solicitor cannot resolve a conflict as to the placement of an AG case on the proposed trial docket, the CJAP shall make the determination after consultation with the Solicitor, the AG, and defense counsel (or the self-represented defendant).

(D) Likewise, to ensure cases placed on the trial docket are truly ready for trial, the Solicitor should regularly consult with defense counsel in the generation of the proposed trial docket. Prosecuting solicitors, public defenders and private defense counsel should regularly communicate with each other regarding reasonably perceived discovery deficiencies and any other issues that may reasonably require a delay in the disposition of a case.

(E) The order of cases listed on the proposed trial docket by the Solicitor shall be the order in which they are to be called for trial. A case may be called for trial out of order by the presiding judge if the prosecuting solicitor and defense counsel or self-represented defendant agree, and if defense counsel or the self-represented defendant in preceding cases also agree. In the discretion of the presiding judge, a case may be called out of order if the trials of preceding cases on the docket cannot be concluded before the end of the term.

(F) The Solicitor shall not list any case on the proposed trial docket that the Solicitor does not reasonably expect to be ready for trial during the term of court. The Solicitor shall not list any case in which the State (the Solicitor and law enforcement) has not complied with Rule 5 and *Brady* at the time the proposed trial docket is transmitted to the CJAP and the Clerk of Court. As

used in this Order, the term "discovery" is defined as any material subject to discovery under Rule 5, SCRCrimP. *See* Paragraph (a)(2)(A).[7]

(G) Even though the Solicitors have discretion to determine the number of cases to be listed on their proposed trial dockets, the Solicitor shall communicate regularly with the CJAP, Chief Public Defender, and Clerk of Court to determine the optimal number of cases to be placed by the Solicitor on the proposed trial docket.

(2) Proposed Trial Docket

(A) No less than forty-five (45) days before the term of court, the Solicitor shall transmit by email a proposed trial docket for that term to the CJAP and the Clerk of Court. The Solicitor must copy the Chief Public Defender—and private defense counsel listed on the proposed trial docket—with the email and proposed trial docket, and must copy the self-represented defendant by regular mail.[8] The Chief Public Defender shall have the responsibility of conveying the proposed trial docket to individual public defenders defending cases listed on the proposed trial docket.

(B) At least 70% of the proposed trial docket shall consist of cases that are

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[7] This paragraph is not intended to create an independent basis for a claim of prosecutorial misconduct if there is a shortcoming in production of discovery. However, this provision and the provisions governing Second Appearances are intended to ensure the State's timely production of discovery to the defense in accordance with Rule 5. To that end, it is incumbent upon law enforcement to efficiently and timely submit material to the prosecuting attorney so the prosecuting attorney can timely produce all discovery and *Brady* material to the defense. Of course, Rule 5 also requires production of discovery by the defendant on a timely basis.

[8] This notification of the proposed trial docket from the Solicitor to the CJAP and the Clerk of Court is only for informational purposes. As provided in paragraph (2)(D) below, the Clerk of Court will transmit the official proposed docket to public defenders and private defense counsel who are on the proposed trial docket by email through CMS, and to self-represented defendants by regular mail. Any objections to the proposed docket must be made in accordance with paragraph (2)(E).

thirty (30) months old[9] or older from the date of indictment. The Solicitor may exclude from the proposed trial docket (a) defendants with outstanding bench warrants; (b) defendants in failure to appear status; (c) defendants participating in pretrial intervention, multidisciplinary court, a conditional discharge sentence, or other diversion program; and (d) cases in which the prosecuting solicitors or defense attorneys are personally unavailable for trial. The Solicitor must be mindful of those defendants who have been detained for a significant time in local detention facilities.

(C) Except by consent of the CJAP, prosecuting solicitor, and defense counsel (or the self-represented defendant), a case may not be added to the proposed trial docket after the proposed trial docket is presented by the Solicitor to the CJAP and Clerk of Court. Provided, however, the CJAP may from time to time require the Solicitor and defense counsel to provide reasons why cases more than thirty (30) months old from the date of indictment are not prepared for trial.

(D) Within seven (7) days after receiving the proposed trial docket from the Solicitor, the Clerk of Court shall transmit the proposed docket to public defenders and private defense counsel on the proposed trial docket by email through CMS, and to self-represented defendants by regular mail.

(E) Within seven (7) days after the proposed docket is transmitted to defense counsel or self-represented defendants by the Clerk of Court, defense counsel or the self-represented defendant may provide the CJAP (and copy the prosecuting solicitor and the Clerk of Court) with any objections to the proposed trial docket. A self-represented defendant must mail any objections to the proposed trial docket to the Clerk of Court and the Solicitor within seven (7) days from the date of mailing of the proposed trial docket by the Clerk of Court.

(F) The CJAP will consider all objections and may convene an on or off-the-record status conference to discuss the case.

(3) Final Trial Docket.

(A) No less than twenty (20) days before the term of court, the CJAP will

[9] As the backlog subsides in any given county, the Court may shorten the thirty-month time frame, or reduce the percentage from 70, or both.

send the final trial docket to the Clerk of Court by email or hand delivery, or by such other method agreed upon by the CJAP and the Clerk of Court. Within five (5) days thereafter, the Clerk of Court shall electronically transmit the final trial docket to defense counsel of record by email through CMS and shall send the docket by regular mail to self-represented defendants.

(B) Cases not reached during a scheduled term shall not automatically roll over onto the trial docket for the next term. While a case will not automatically roll over onto the trial docket for the next term, the Solicitor may place a case on successive proposed trial dockets in accordance with the provisions of paragraphs (b)(1) and (2).

(4) Continuances. Either the State or the defendant may file a motion with the court for a continuance or for protection or relief from the final trial docket. Such a motion shall contain an affirmation that the moving party, prior to filing the motion, communicated or attempted to communicate with the opposing party in good faith in attempt to resolve the motion, together with an explanation of whether the opposing party consented to or objected to the request. The nonmoving party may file and serve a response to the motion for continuance within three (3) business days after receiving notice of the motion. The CJAP or a designee may resolve the motion on the filings without a hearing or may hold a hearing to determine whether a motion for continuance, protection, or relief should be granted.

(5) Trial Docket Status Conferences. Trial Docket status conferences may be scheduled at the discretion of the CJAP and may be held by the CJAP or a designee.

(6) Multiple Trial Terms. In any county in which multiple terms of jury trials will be held during the same month, the Solicitor may present a different proposed trial docket for each term.

(c) List of Matters.

(1) Separate and apart from the trial docket, the Solicitor, the CJAP, and the Clerk of Court shall compile a list of matters to be scheduled by the court for disposition by the court. Defense counsel or the self-represented defendant may request the CJAP to add to the list of matters. The list of matters shall include, but shall not be limited to, guilty pleas, bond hearings, motions, or any other non-trial matters.

(2) The CJAP, docket liaison, and Clerk of Court shall monitor the number of outstanding motions in each county. The following motions shall be heard only by

the trial judge: *Jackson v. Denno*, *Crawford v. Washington*, *U.S. v. Bruton*, *Neil v. Biggers*, *Franks v. Delaware*, and other motions to suppress evidence. However, these motions may be heard by a judge other than the trial judge if both parties agree, and if both parties agree to be bound by the ruling.[10]

(3) Other motions may be heard by the CJAP or any circuit judge assigned to the county in which the motion is pending. Speedy trial motions should be given priority.

(4) Guilty plea dockets shall consist of those pleas announced at a Second Appearance and Trial Docket Status Conferences, as well as those pleas communicated to the CJAP by the Solicitor, Chief Public Defender, and private counsel. The CJAP shall, with the input of the Clerk of Court, the Solicitor, Chief Public Defender, and private counsel, create the plea docket for an appropriate term of court. The Clerk of Court shall provide notice of the guilty plea docket to defense counsel by email through CMS, and to the self-represented defendant by regular mail. The presiding judge may add guilty pleas to the guilty plea docket.

(d) Attorney General.

(1) The Attorney General (AG) prosecutes a substantial number of cases throughout the State of South Carolina. The AG shall have regular access to the scheduling of motions, pleas, and trials. The AG shall provide the Clerk of Court, the Solicitor, the docket liaison, and the CJAP quarterly with a list of each indicted case being prosecuted by the AG, together with the name of the prosecuting AG, in the county over which the CJAP and Solicitor have authority. Upon request of the AG, the CJAP shall instruct the Clerk of Court to add cases to the Second Appearance list, provided proper notice has been given to defense counsel or the self-represented defendant. Upon request of the AG, the CJAP shall instruct the Clerk of Court to add cases prosecuted by the AG to a plea or motion docket, provided fifteen (15)-days' notice has been given to defense counsel or the self-represented defendant. The Solicitor and the AG shall regularly communicate with one another and with the CJAP to ensure the AG has input into the listing of AG cases on the proposed trial docket. The AG and the Solicitor shall make every effort to resolve any disputes between each other concerning the scheduling of pleas,

[10] At some point, it will likely be advisable for the Court to amend this order or propose an addition to the Rules of Criminal Procedure allowing such motions to be heard with finality by a judge other than the trial judge. However, that will not be a requirement at this time.

motions, or trials.

(2) In any case prosecuted by the AG (except for State Grand Jury cases), the identifier "AG" shall be inserted on the indictment at the end of the indictment number. Court Administration records, including those records posted on the sccourts.org website, shall include that or a similar identifier. If a case is originally indicted and prosecuted by the Solicitor, and prosecution is later assumed by the AG, the indictment must be amended to include the identifier.

(e) Docket Reconciliation. A representative from the Clerk of Court's Office, a representative from the Solicitor's Office, a representative from the Chief Public Defender's office, and the docket liaison shall meet at least once each six months to ensure that all cases disposed of during the previous six months were properly recorded, and that the respective dockets are consistent. The CJAP can order these meetings to be held more frequently. After the meeting, the docket liaison shall then provide the CJAP with a list of all cases that are over thirty (30) months old from the date of indictment and, if not indicted, over thirty-six (36) months old from the date of arrest. The CJAP or designee may hold status conferences in these cases.

(f) Effective Date. This Order shall be effective July 3, 2023. The deadlines and lead times set forth in this Order will not be in force until the effective date.

IT IS SO ORDERED.

s/ John W. Kittredge C.J.

s/ John Cannon Few J.

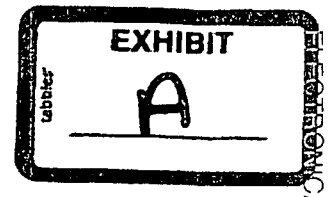
s/ George C. James, Jr. J.

s/ D. Garrison Hill J.

s/ Letitia H. Verdin J.

Columbia, South Carolina
January 15, 2025

EXHIBIT D



SAXTON & STUMP
LAWYERS AND CONSULTANTS

151 Meeting Street, Suite 400 · Charleston, SC 29401
P: (843) 414-5080 · F: (843) 580-8303

Direct Dial: 843.414.5085
Email: ebaguer@saxtonstump.com

May 21, 2025

Via First-Class Mail
Alexis Berg
371 3rd Avenue
Roosevelt, MN 56673

Re: Assignment Desk Works, LLC v. Alexis Berg
Case Number: 2025-CP-10-2671

Dear Ms. Berg:

Enclosed for service upon you, please find the following documents regarding the above-referenced matter:

- *Plaintiff's First Set of Interrogatories to Defendant*;
- *Plaintiff's First Set of Requests for Production to Defendant*; and
- A *Certificate of Service* for the same.

Ms. Dukes can communicate directly with you so long as you are unrepresented. If you decide to retain counsel, please have that individual contact Ms. Dukes.

Sincerely,

s/ Emma Baguer

Emma Baguer
Paralegal to Rene Stuhr Dukes

/ekb
Enclosures
cc: Patrick Bryant (via email w/ encl.)
Shawn Moffatt (via email w/ encl.)

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	
	)	
ASSIGNMENT DESK WORKS,	)	
	)	
Plaintiff,	)	**PLAINTIFF'S FIRST SET OF INTERROGATORIES TO DEFENDANT**
	)	
vs.	)	
	)	
ALEXIS BERG,	)	
	)	
Defendant.	)	
	)	DOCKET NUMBER: 2025-CP-10-2671

TO: THE DEFENDANT:

Pursuant to Rule 33 of the South Carolina Rules of Civil Procedure and Rule 25 of the South Carolina Rules of Family Court, the following Interrogatories are propounded by the Plaintiff to the Defendant to be answered under oath by the Defendant within thirty (30) days of the service hereof. These Interrogatories shall be deemed to continue from the time of service until the time of trial of the case and should additional or amended answers to these Interrogatories be necessary during the time, they shall be properly transmitted to the Plaintiff through Plaintiff's undersigned attorney.

DEFINITIONS AND INSTRUCTIONS

NOTE A: When used in these Interrogatories, the term "Defendant" or any synonym thereof is intended to, and shall, embrace and include, in addition to the named Defendant, counsel for Defendant and all agents, servants, employees, representatives, investigators, and other persons or agencies who are in possession of or have obtained or have access to information for or on behalf of Defendant.

NOTE B: As used herein, the term "you", "your", or "yourself" refer to Defendant and, if it is a corporation, each of its parents, predecessors, subsidiaries and affiliates and each of its present

and former officers, employees, agents, representatives and attorneys and each person acting or purporting to act on behalf of said company or corporation.

NOTE C: As used herein, the term "representative" means any and all agents, employees, servants, officers, directors, attorneys or other persons acting or purporting to act on behalf of the person in question.

NOTE D: As used herein, the term "person" means any natural individual in any capacity whatsoever or any entity or organization (including divisions, departments, and other units therein) and shall include, but not be limited to, a public or private corporation, LLC, partnership, joint venture, voluntary or unincorporated association, organization, proprietorship, trust, estate, governmental agency, commission, bureau, department, or private company.

NOTE E: As used herein, the term "document" means any medium upon which intelligence or information can be recorded or retrieved -- and includes, without limitation, the original and each copy, regardless of origin and location, of any book, pamphlet, periodical, letter, memorandum (including memorandum or report of a meeting or conversation), invoice, bill, order form, receipt, financial statement, accounting entry, diary calendar, telex, telegram, cable, report, record, contract, agreement, study, hand-written note, draft, working paper, chart paper, print, laboratory record, drawing sketch, graph, index, list, tape, photograph, microfilm, data sheet or data processing car or any other written, recorded, transcribed, punched, taped, filed or graphic matter, however produced or reproduced -- which is in your possession, custody, or control or which was, but is no longer, in your possession, custody or control.

NOTE F: As used herein, the term "communication" means any oral or written utterance, notation or statement of any nature whatsoever, by and to whomsoever made, including but not limited to correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among three or more persons.

NOTE G: As used herein, the terms "identify", "identification", or "identity" when used in reference to (a) a natural individual, require you to state his or her full name and residential and business address, or (b) a corporation, require you to state its full corporate name, and any names under which it does business, its state of incorporation, the address of its principal place of business and the addresses of all of its offices, or (c) a business, require you to state the full name or style under which the business is conducted, its business address or addresses, the type of business in which it is engaged, the geographic areas in which it conducts those businesses and the identity of the person or persons who own, operate, and control the business, or (d) a document, require you to state the number of pages and the nature of the document, its title, its date, the name or names of its authors and recipients and its present location and custodian, or (e) a communication, require you to identify the document or documents which refer to or evidence the communication and, to the extent that the communication was non-written, to identify the person participating in the communication and to state the date, manner, place and substance of the communication.

NOTE H: In addition to supplying the information requested, you are to identify all documents that support, refer to or evidence the subject matter of each interrogatory and your answer thereto.

NOTE I: If any or all documents identified herein are no longer in your possession, custody or control, because of destruction, loss or any other reason, then do the following with respect to each and every such document: (a) describe the nature of the document (e.g.: letter, memorandum, etc.); (b) state the date of the document; (c) identify the persons who sent and received the original and a copy of the document; (d) state in as much detail as possible the contents of the document; and (e) state the manner and date of disposition of the document.

NOTE J: If you contend that you are entitled to withhold from production any document identified herein on the basis of attorney/client privilege, work product doctrine or other ground,

then do the following with respect to each and every document: (a) describe the nature of the document (e.g.: letter, memorandum, etc.); (b) state the date of the document; (c) identify the person who sent and received the original and a copy of the document; (d) state the subject matter of the document; and (e) state the basis upon which you contend you are entitled to withhold the document from production.

STANDARD INTERROGATORIES

1. Give the full names, mailing addresses, and telephone numbers of any and all persons known to you or your counsel to be witnesses or potential witnesses concerning the facts of the case, indicate whether or not written or recorded statements have been taken from the witnesses, and indicate who has possession of such statements.

2. For each person known to you to be a witness or potential witness concerning the facts of the case, set forth a summary sufficient to inform the other party of the important facts known to or observed by such witness.

3. List the full names and full mailing addresses of any expert witnesses whom you propose to use as a witness at the trial of the case and set forth a sufficient summary of the subject matter on which the expert is expected to testify.

4. Set forth a complete list of any and all exhibits to be used or anticipated for use in this case, including but not exclusive of photographs, financial declarations, reports, sketches, video tapes, or other prepared documents or notes in possession of you or of any expected witness(es) that relate to the claim or defense in the case.

INTERROGATORIES

5. Set forth a list of documents, emails, photographs, videotapes, financial records, appraisals, and/or other physical evidence of any kind in the possession of the party or counsel that relate to the claims or defenses in this case. In particular, if any privilege is being claimed as to

any document or thing not listed herein, please provide a complete and comprehensive privilege log.

6. Identify every person with whom you have discussed Assignment Desk Works, LLC (ADW) or any of its directors, operators, and agents, including, but not limited to, Patrick Bryant, from February 10, 2023, to the present. For each person identified, please provide the following:

a. Full name, address, telephone, and e-mail of the person(s);

b. Date(s) of each communication;

c. Medium used (e.g., text, e-mail, phone, Signal, in-person); and

d. A summary of the discussion.

7. Please list in detail every statement you have made concerning ADW, or any of its directors, operators, and agents, including, but not limited to, Patrick Bryant, which could tend to show the company or individual in a negative light from February 10, 2023, to the present. For each statement listed, please provide the following:

a. Full name, address, telephone, and e-mail of the person(s) to whom the statement was made;

b. Date(s) of each communication;

c. Medium used (e.g., text, e-mail, phone, Signal, in-person);

d. All facts which establish the truthfulness of the statement.

8. Set forth with specificity all communications you have had with Nancy Mace, Katherine Cockman, Haley Sarvis, and/or Melissa Britton from February 10, 2023, to the present concerning ADW or any of its directors, operators, and agents, including, but not limited to, Patrick Bryant. For each communication identified, please provide the following:

a. Full name, address, telephone, and e-mail of the person(s) with whom you communicated;

b. Date(s) of each communication;

c. Medium used (e.g., text, e-mail, phone, Signal, in-person); and

d. A summary of the communication.

9. Identify every draft, outline, note, script, or talking-points you prepared, reviewed, or relied upon in making any statement about ADW, or any of its directors, operators, and agents, including, but not limited to, Patrick Bryant, from February 10, 2023, to the present. For each document identified, please state the date created; the author; the identity of the individual who provided the document if applicable; and the current location of the document.

10. List every social media account and handle you have used since February 10, 2023, (e.g., Facebook, Instagram, X/Twitter, TikTok, LinkedIn, WhatsApp, Signal, Telegram, Discord)

11. Please identify any post, comment, repost, or other communication (including any deleted content) which concern ADW, or any of its directors, operators, and agents, including, but not limited to, Patrick Bryant, from February 10, 2023, to the present and identify each such post by date and platform.

12. State whether you possess, control, or have knowledge of any audio or video recording depicting Patrick Bryant, John Osborne, or Eric Bowman. If so, describe the substance of the recording; the means of recording, the date recorded, the identity of the person who made the recording; the location of the recording; and the current custodian and location of each recording.

13. Identify every device, cloud account, or external storage medium that contains documents or data responsive to these discovery requests and describe the steps you have taken to preserve that data.

14. Describe in detail every payment, promise, or benefit of any kind (including, but not limited to cash or in-kind payments; political favors or assistance; promises of future employment, consulting, speaking, or publicity; agreements to share any recovery, award, or settlement in existing or future litigation; and gifts, travel, lodging, entertainment, or any other thing of value), whether monetary or non-monetary, you have received, been offered, requested, or discussed from February 10, 2023, to the present in connection with making or repeating statements about ADW, or any of its directors, operators, and agents, including, but not limited to, Patrick Bryant. For each item identified, state the provider, date, terms, and whether accepted, rejected, or pending. "Benefit" includes:

15. Identify any GoFundMe, legal-defense fund, or similar account established by you or on your behalf from February 10, 2023, to the present, to raise money related to this dispute, including current balance and total donations received.

Respectfully Submitted,

SAXTON & STUMP

By: _____

Rene Stuhr Dukes, Esq.
151 Meeting St., Suite 400
Charleston, SC 29401
(843) 386-4885
rdukes@saxtonstump.com

Attorney for Plaintiff

May 21, 2025
Charleston, South Carolina

STATE OF SOUTH CAROLINA)) COUNTY OF CHARLESTON))	IN THE COURT OF COMMON PLEAS NINTH JUDICIAL CIRCUIT
ASSIGNMENT DESK WORKS,))	
Plaintiff,)	**PLAINTIFF'S FIRST SET OF REQUESTS FOR PRODUCTION TO DEFENDANT**
vs.)	
ALEXIS BERG,)	
Defendant.)	DOCKET NUMBER: 2025-CP-10-2671

TO: THE DEFENDANT:

Pursuant to Rule 25 of the Rules of Practice for the Family Courts and Rules 26 and 34 of the South Carolina Rules of Civil Procedure, and the Order of the Court, Plaintiff requests that the Defendant produce and permit the representatives of Plaintiff to inspect and copy the documents and other items described below in the possession, custody, and control of the Defendant. Plaintiff requests that the documents and other items described be made available for inspection and copying within the time allowed by the South Carolina Rules of Civil Procedure at the offices of the Saxton & Stump, LLC, 151 Meeting Street, Suite 400, Charleston, South Carolina 29401, as soon as practicable, but no later than thirty (30) days from the date of service of these requests.

DEFINITIONS

The term "document(s)" shall include, but is not limited to: all writings, correspondence, reports, computer data, memoranda, notes, diaries, calendars, applications, statistics, letters, telegrams, minutes, contracts, agreements, reports, studies, computations, checks, statements, receipts, returns, summaries, pamphlets, books, resumes, notations of any sort of conversations, bulletins, calendars (whether written or electronically recorded), printed, typed or handwritten matter, e-mails or other electronic communications, invoices, worksheets, photographs, videotape,

CDs, charts, graphs, microfiche, microfilm, recorded messages on tape/digital devices and/or other recordings, and/or any other physical thing or electronically recorded information of any kind whatsoever, within the knowledge, possession, custody, control or subject to the control of, or accessible to Defendant.

FIRST REQUESTS FOR PRODUCTION

1. All written and recorded statements of witnesses identified in your Answers to Interrogatories.

2. All documents used to prepare, or identified in, your Answers to Interrogatories, including electronically stored information ("ESI") .

3. The complete file of your expert witness(es), including, but not limited to, any and all reports, correspondence, fee agreement schedule, notes, files, or other documentation reviewed, used, relied upon, or prepared by your expert witness(es).

4. Any and all exhibits you may use at trial.

5. Any and all documents relating to the claims and/or defenses raised by you and/or the Plaintiff.

6. All written, electronic, or recorded communications between you and Nancy Mace, Katherine Cockman, Haley Sarvis, Melissa Britton, and/or Sam Staley from February 10, 2023, to present.

7. All drafts, outlines, notes, scripts, or talking-points identified in your answer to Interrogatory 9.

8. A complete export (including deleted items where available) of each social-media account listed in your answer to Interrogatory 10 that contains content referring to ADW, or any of its directors, operators, and agents, including, but not limited to, Patrick Bryant.

9. All audio or video recordings identified in your answer to Interrogatory 12, in

native format.

10. All documents and ESI evidencing the payments, promises, political favors, potential employment, litigation-award shares, or other benefits described in your answer to Interrogatory 14 (e.g., bank or PayPal/Venmo records, contracts, e-mails, texts).

11. All bank statements, platform screenshots, or accounting records for any legal defense or fund-raising account identified in your answer to Interrogatory 15.

12. Any and all electronic devices owned or primarily used by the Defendant for forensic copying and inspection to a forensic expert identified by Plaintiff, including, but not limited to, recording devices, digital storage, smart phones, tablets, laptops, desktop computer hard drives, backup storage devices, temporary cellular devices that would be considered a "drop-phone", "burner-phone", or "trac-phone" owned or primarily used by Defendant.

13. A complete copy of the executed Settlement Agreement referenced in the Complaint, including all riders, amendments, and exhibits.

YOU WILL PLEASE ALSO TAKE NOTICE that the foregoing Requests to Produce are of a continuing nature and shall continue through the date of the trial of this case on the merits.

Respectfully Submitted,

SAXTON & STUMP

By: _____

Rene Stuhr Dukes, Esq.
151 Meeting St., Suite 400
Charleston, SC 29401
(843) 386-4885
rdukes@saxtonstump.com

Attorney for Plaintiff

May 21, 2025
Charleston, South Carolina

STATE OF SOUTH CAROLINA	)	IN THE FAMILY COURT OF THE
	)	NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	
	)	
ASSIGNMENT DESK WORKS, LLC.	)	
	)	
PLAINTIFF,	)	**CERTIFICATE OF SERVICE**
	)	
vs.	)	
	)	
ALEXIS BERG,	)	
	)	
DEFENDANT.	)	DOCKET NO. 2025-CP-10-2671

This is to certify that a copy of *Plaintiff's First Set of Interrogatories to Defendant* and *Plaintiff's First Set of Requests for Production to Defendant* have been served upon the following party, via First-Class Mail, as shown below this 21st day of May 2025.

Alexis Berg
371 3rd Avenue
Roosevelt, MN 56673

Pro Se Defendant

s/ Emma Baguer
Emma Baguer
Paralegal to Rene Stuhr Dukes
Saxton & Stump, LLC
151 Meeting Street, Suite 400
Charleston, SC 29401