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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA	)	IN THE SUPREME COURT
	)	OF SOUTH CAROLINA
Gregg Roman and Gravitas Solutions, LLC	)	
	)	
Petitioners,	)	Appellate Case No. 2026-000713
	)	
v.	)	**ANSWER OF RESPONDENTS**
	)	**RENEE S. BEACH, SAVANNAH TUTEN,**
PNC Financial Services Group, Inc. d/b/a PNC Bank, Renee S. Beach, Savannah Tuten, and Seth Tuten,	)	**AND SETH TUTEN**
	)	
Respondents.	)	

Pursuant to this Court's order[1] of March 20, 2026, Plaintiffs Renee S. Beach, Phillip Beach, Robin Beach, Savannah Tuten, and Seth Tuten (Respondents) provide the following Answer to the Complaint that accompanied the Petition for Original Jurisdiction Gregg Roman and Gravitas Solutions, LLC (Petitioners) filed in this matter.

[1] Petitioners filed their Petition with pleadings on March 19, 2026. On March 20, 2026, the Court ordered Respondents to file an answer to the complaint for declaratory and injunctive relief within ten (10) days of the date of the order. *Beach v. Parker: Ex Parte Roman v. PNC Financial Services, Inc.*, Order (S.C. Sup. Ct. filed March 20, 2026)(Appellate Case No. 2026-000713). Rule 245, SCACR, provides "Any party opposing the petition *shall* have twenty (20) days from the date of service to file a return with the Clerk of the Supreme Court and serve on all parties a copy of the return." (emphasis added). Despite this mandate, the Court granted the petition without permitting any of the Respondents the opportunity to file a return opposing this Petition. See Rule 245(c) ("Failure of a party to timely file a return may be deemed a consent by that party to the matter being heard in the original jurisdiction."). Respondents do not consent to Petitioners' request for original jurisdiction. Further, because Respondents did not have the opportunity to file a return, Respondents provide more than a short and plain statement contemplated by Rule 8(b) and (e)(1), SCRCP, Rule 10(b), SCRCP and Rule 12(b), SCRCP.

FOR A FIRST DEFENSE
(General Denial)

1. Paragraph 1 of the "Introduction" in the Complaint contains arguments of counsel and requires no response. Insofar as a response is deemed required, Respondents deny those averments and require strict proof beyond the self-serving affidavit filed by Mr. Roman in this matter.[2]

2. Paragraph 2 of the "Introduction" in the Complaint contains arguments of counsel and requires little response. Insofar as a response is deemed required, Respondents admit that the

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[2] This Court has authority to find facts in its original jurisdiction. *Sanford v. S.C. State Ethics Comm'n*, 385 S.C. 483, 497, 685 S.E.2d 600, 607, *opinion clarified*, 386 S.C. 274, 688 S.E.2d 120 (2009). Rule 245 provides "The Supreme Court may provide for discovery, fact finding and/or a briefing schedule as necessary." Rule 245(c) (last sentence). Mr. Roman has admittedly and deliberately avoided service of process for years to this date. By this Petition he has submitted to the jurisdiction of this Court. Respondents respectfully request that the Court order Mr. Roman to appear in person and submit to a deposition as well as provide proof, other than his self-serving affidavit, to support his request for injunctive relief. The Court has previously assigned either a single member or a circuit court judge to act as a special referee to obtain proof in prior original jurisdiction matters. *See* S.C. Code Ann. § 14–3–340 (1977) ("Whenever in the course of any action or proceeding in the Supreme Court arising in the exercise of the original jurisdiction ... an issue of fact shall arise ..., or whenever the determination of any question of fact shall be necessary to the exercise of the jurisdiction conferred upon the Supreme Court, the court may frame an issue therein and certify the same to the circuit court ...."). *See also, e.g.*, *Rogers Townsend & Thomas, PC v. Peck*, 419 S.C. 240, 797 S.E.2d 396 (2017) (in original jurisdiction matter Court appointed then circuit court Judge Stephanie P. McDonald to find facts and make recommendations); *Ex parte Smith*, 407 S.C. 422, 422, 756 S.E.2d 386, 386 (2014) (this Court granted the petition for original jurisdiction in this case and appointed circuit court Judge Clifton Newman to serve as special referee); *Medlock v. University Health Services, Inc.*, 404 S.C. 25, 743 S.E.2d 830 (2013) (appointing Master in Equity James O. Spence as referee to take evidence and provide a report and recommendation to this Court); *Wehle v. SC Retirement System*, 363 S.C. 394, 611 S.E.2d 240 (2005) (appointing then circuit court Judge John W. Kittredge to take evidence and issue a report and recommendation to the Court); *City of Columbia v. Tindal*, 43 S.C. 547, 554, 22 S.E. 341, 344 (1895) (in an action "in the original jurisdiction of this court," stating, "There being a necessity for some testimony, [the action] was referred, under an order from this court, to [a] special referee").The Court should do so in this matter and direct the referee to conduct limited discovery (under a protective order or *in camera* proceeding if appropriate) before entering any order granting the relief Petitioners seek.

underlying action involves litigation in Hampton County, South Carolina. Respondents also admit that Mr. Roman and Gravitas are not parties to the litigation. Respondents admit further that Mr. Roman and Gravitas have avoided efforts to obtain information from them "for years." Respondents deny the remainder of the averments and require strict proof beyond the self-serving affidavit filed by Mr. Roman in this matter.

3. Paragraph 3 of the "Introduction" in the Complaint contains arguments of counsel and requires little response. Insofar as a response is deemed required, Respondents deny those averments and require strict proof beyond the self-serving affidavit filed by Mr. Roman in this matter.

4. Responding to Paragraph 4, Respondents admit that Mr. Roman and Gravitas are not parties to the underlying litigation. Respondents deny Mr. Roman is a resident of the State of Israel having represented in his motion to quash that he and Gravitas are residents of Pennsylvania. (Exh. A, Motion to Quash, second unnumbered page, ¶ 7). Respondents lack information regarding Mr. Roman's occupation beyond performing "private consulting services" or his residency and therefore deny the same.

5. Responding to Paragraph 5, Respondents admit that Gravitas is organized as an LLC and that Gravitas is not a party to the underlying litigation. Respondents admit that Mr. Roman and Gravitas perform "private consulting services," the services Petitioners provided for the Defendants Gregory M. Parker and Gregory M. Parker, Inc. d/b/a Parker's Corporation (the Parker Defendants) in the underlying litigation, and that the Parker Defendants were Petitioners' "clients." Otherwise, Respondents lack information regarding Mr. Roman's occupation and therefore deny the same.

6. Upon information and belief Respondents admit the allegations in Paragraph 6.

7. Respondents admit the allegations of Paragraph 7.

8. Paragraph 8 contains a statement of law. Insofar as a response is required, Respondents admit Paragraph 8.

9. Paragraph 9 contains statements of law. Insofar as a response is required, Respondents admit that Judge Kelly denied Petitioners' motion to quash and motion for reconsideration and that his orders are not immediately appealable pursuant to S.C. Code Ann. § 14-3-330 (2017). Respondents also admit that PNC was preparing to produce the records on March 23, 2026. Otherwise, Petitioners deny Paragraph 9.

10. Paragraph 10 is denied upon information and belief. Respondents specifically deny that Mr. Roman or Gravitas are protected by S.C. Code Ann. § 19-11-100 (2014) for the private consulting services he was providing to the Parker Defendants. Respondents also deny that Judge Kelly failed to provide notice to Petitioners or their counsel before entering his orders denying Petitioners' motions.

11. Paragraph 11 is admitted.

12. Paragraph 12 is admitted.

13. Paragraph 13 is admitted insofar as it describes Petitioners' motion before Judge Kelly. The averments within the motion, however, are denied and the Court should require proof beyond Mr. Roman's self-serving affidavit. Responding further, the subpoena seeks information regarding private consulting services Respondents provided to the Parker Defendants under Respondents' role as a private consultant, not as an alleged "journalist."

14. Regarding Paragraph 14, Respondents admit the averment that Petitioners' counsel did

not appear at the November 26, 2025 hearing before Judge Kelly in Spartanburg. Paragraph 14 is otherwise denied. Responding further, Petitioners' counsel Taylor Smith, Esquire, was part of the email communications from Judge Kelly or his law clerk regarding addressing outstanding motions, including Petitioners' Motion to Quash. (Exh. B). Judge Kelly also held a status conference in Hampton County on July 14, 2025, and notified everyone, including Petitioners' counsel, of the conference. (Exh. B). The Motion to Quash was pending on July 14, 2025, was shown on the court's electronic roster, and Petitioners' counsel was then listed as counsel of record on the court's roster. Further, despite having originally filed the motion on May 15, 2025, neither Petitioners nor their counsel ever sought to have the matter heard. When Petitioners' counsel failed to appear at the July 14, 2025, status conference or respond to attempts by Judge Kelly's law clerk to contact counsel by telephone and email, Judge Kelly proceeded with the status conference. Plaintiffs' counsel specifically requested that Judge Kelly rule on Petitioners' pending motion to quash the subpoena based upon the filings Petitioners submitted with attachments and the arguments they made in the filings, including asserting protection under Section 19-11-100. *Compare Dedes v. Strickland*, 307 S.C. 152, 414 S.E.2d 132 (1992) (10-day notice under Rule 6(d), SCRCP, required where party was wrongfully denied the opportunity to submit affidavits, documents or testimony opposing motion for summary judgment; Petitioners had the opportunity in this matter and took advantage of it, filing a comprehensive motion and memorandum (Exh. A - Motion to Quash and Exhibit 1 to Motion)).

15. Regarding Paragraph 15, Respondents admit that Judge Kelly entered the order denying Petitioners' motion to quash on February 5, 2026. Respondents also admit that no counsel for Petitioners appeared (even though Petitioners' counsel was notified of the hearing and that the

hearing embraced "all motions pending," (Exh. B, p. 3) (email from Jim Bannister to court and all counsel of record)). Respondents deny Petitioners' characterization of Judge Kelly's order as "falsely stat[ing]" anything.

16. Regarding Paragraph 16, Respondents admit that the subpoena duces tecum sought the PNC records. However, Respondents, as well as Defendants Max Fratodi, Henry Rosado and Private Investigation Services Group, LLC (PISG), also attempted to obtain Mr. Roman's deposition in his home state of Pennsylvania through a properly domesticated subpoena but Mr. Roman evaded process.

17. Regarding Paragraph 17, Respondents admit that Judge Kelly's order indicates he considered Petitioners' arguments under Section 19-11-100 and that Judge Kelly granted a separate and unrelated motion to quash a subpoena the Parker Defendants directed to the law firm of Clawson & Staubes, LLC. Otherwise, Respondents deny Paragraph 17. Responding further, Respondents contend neither Section 19-11-100 nor *Matter of Decker*, 322 S.C. 215, 471 S.E.2d 462 (1995) apply to shield Petitioners' private consulting services they were providing for their clients, the Parker Defendants.

18. Regarding Paragraph 18, Respondents admit that Petitioners sought reconsideration of Judge Kelly's order pursuant to Rule 59(e), SCRCP, and that Petitioners' Motion made the arguments described and requested a hearing, even though Petitioners had filed a comprehensive motion raising all arguments. Otherwise, Paragraph 18 is denied. Responding further, Respondents contend neither Section 19-11-100 nor *Matter of Decker*, 322 S.C. 215, 471 S.E.2d 462 (1995) apply to shield Petitioners' private consulting services they were providing for their clients, the Parker Defendants.

19. Regarding Paragraph 19, Respondents admit Judge Kelly denied the Rule 59 motion without a hearing. *See* Rule 52 (c), SCRCP (motions "may in the discretion of the court be determined on briefs filed by the parties without oral argument"); Rule 59(f), SCRCP (a Rule 59 "motion may in the discretion of the court be determined on briefs filed by the parties without oral argument"). *Cf. In re Civil Motions Pilot Program*, Order (S.C. Sup. Ct. filed Sept. 10, 2015), p. 1 (¶ 6: "After the submission of all timely filed briefs, the trial court may grant oral argument in its discretion or may rule without further notice on the written filings without scheduling oral argument.... Motions pursuant to Rule 59(e) may be decided on briefs without a hearing."). Respondents deny the remaining averments in Paragraph 19. Responding further, Respondents contend neither Section 19-11-100 nor *Matter of Decker*, 322 S.C. 215, 471 S.E.2d 462 (1995) apply to shield Petitioners' private consulting services they were providing for their clients, the Parker Defendants.

20. Paragraph 20 is admitted.

21. Paragraph 21 is admitted.

22. Paragraph 22 is admitted.

23. Paragraph 23 is admitted.

24. Paragraph 24 is denied on information and belief.[3] Responding further, Respondents contend neither Section 19-11-100 nor *Matter of Decker*, 322 S.C. 215, 471 S.E.2d 462 (1995) apply to shield Petitioners' private consulting services they were providing for their clients, the

[3] Again, the Court should appoint a special referee and permit limited discovery and production beyond Mr. Roman's self-serving affidavit. See note 2, above. Further, any information PNC produces can be protected with the order Judge Kelly issued governing production of confidential information currently in place in the lower court.

Parker Defendants.

25. Paragraph 25 is admitted insofar as it alleges that since February 28, 2026, the United States and Israel have been engaged in a war with Iran. Otherwise, Paragraph 25 is denied on information and belief.

26. Paragraph 26 is denied on information and belief. Responding further, the Court may order the production *in camera* and/or provide a protective order to address alleged concerns regarding confidentiality. Rule 26(c), SCRCP. Also responding further, Respondents contend the First Amendment, Section 19-11-100, or *Matter of Decker*, 322 S.C. 215, 471 S.E.2d 462 (1995) do not apply to shield Petitioners' private consulting services they were providing for their clients, the Parker Defendants.

27. Petitioners incorporate their responses to Paragraphs 1 through 26 as if restated here.

28. Paragraph 28 is a statement of law and requires no response. Responding further, Respondents contend neither Section 19-11-100 nor *Matter of Decker*, 322 S.C. 215, 471 S.E.2d 462 (1995) apply to shield Petitioners' private consulting services they were providing for their clients, the Parker Defendants or permit Petitioners to hide the funds they were paid for those services.

29. Paragraph 29 is a statement of law and legal argument and requires no response. Responding further, Respondents contend neither Section 19-11-100 nor *Matter of Decker*, 322 S.C. 215, 471 S.E.2d 462 (1995) apply to shield Petitioners' private consulting services they were providing for their clients, the Parker Defendants. Respondents also deny PNC Bank (the entity being compelled) is a news-gatherer or that the funds paid to Petitioners by the Parker Defendants or those operating on their behalf are protected or were obtained or prepared in

gathering or dissemination of any news or news gathering process. Respondents further deny that covert or clandestine operations conducted within and for the purpose of directly affecting a matter in litigation pending in South Carolina would ever be protected under Section 19-11-100 or as a matter of public policy.

30. Paragraph 30 is denied. Responding further, Respondents admit Petitioners perform "private consulting services," which is what Respondents were providing for their clients, the Parker Defendants.

31. Paragraph 31 is admitted. Responding further, although Defendants Max Fratodi and Henry Rosado, who each testified in the underlying matter that they and their company were working for Petitioners, attempted to bring third-party claims against Petitioners (Exh. C), Judge Kelly denied the motion.[4]

32. Paragraph 32 is denied. Petitioners presented their arguments and a supporting affidavit by Mr. Roman to Judge Kelly who denied relief without a hearing. Rule 52(c), SCRCP (motions

[4] (Exh. D). Counsel for Petitioners Roman and Gravitas remains counsel of record for Defendants Fratodi, Rosado and Investigation Services. (*See* Exh. E). His continued representation of Petitioners in this matter is questionable. *See* Rule 1.7(b)(3), RPC, Rule 407, SCACR (permitting concurrent representation of parties under a conflict but only if "the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal"). *See, e.g.*, *Ex parte Strom*, 343 S.C. 257, 263, 539 S.E.2d 699, 702 (2000) ("in order to be removed as counsel of record, an attorney must receive a court order pursuant to 11(b), SCRCP"); *Id.* at 264-265, 539 S.E.2d at 702-703 (such an order may not be entered *nunc pro tunc*). Although Petitioners' counsel has moved to be relieved as counsel for defendants Fratodi, Rosado and Investigation Services, Judge Kelly has not ruled upon that motion. (Exh. F - Motion to Withdraw titled "Withdrawal of Andrew Radeker"; current counsel for Respondents Taylor Smith is mentioned in the body of the Motion). Furthermore, because counsel at least formerly represented Mr. Fratodi, Mr. Rosado and Investigation Services (and continues to be counsel of record for them) *in this litigation*, and they asserted a claim (through other counsel) against Mr. Roman and Gravitas (even though the joinder was not permitted), counsel may not represent Petitioners in this matter. Rule 1.9 (a), RPC, Rule 407, SCACR.

"may in the discretion of the court be determined on briefs filed by the parties without oral argument"); Rule 59(f), SCRCP (a Rule 59 "motion may in the discretion of the court be determined on briefs filed by the parties without oral argument"). *Cf. In re Civil Motions Pilot Program*, Order (S.C. Sup. Ct. filed Sept. 10, 2015), p. 1 (¶ 6: "After the submission of all timely filed briefs, the trial court may grant oral argument in its discretion or may rule without further notice on the written filings without scheduling oral argument.... Motions pursuant to Rule 59(e) may be decided on briefs without a hearing.").. Responding further, Respondents contend neither Section 19-11-100 nor *Matter of Decker*, 322 S.C. 215, 471 S.E.2d 462 (1995) apply to shield Petitioners' private consulting services they were providing for their clients, the Parker Defendants.

33. Paragraph 33 is admitted insofar as the orders did not address specific findings under Section 19-11-100. However, Petitioners made all arguments before Judge Kelly in their filings and he rejected those arguments. *See. e.g.*, *Noisette v. Ismail*, 304 S.C. 56, 403 S.E.2d 122 (1991) (holding Rule 52(a)'s requirement that in a bench trial the trial court shall "find the facts specially" to be a "directory" requirement; where the trial court substantially complies with Rule 52(a), SCRCP, and adequately states the basis for its result, "the appellate court should not vacate the trial court's judgment for lack of an explicit or specific factual finding"). Responding further, Respondents contend neither Section 19-11-100 nor *Matter of Decker*, 322 S.C. 215, 471 S.E.2d 462 (1995) apply to shield Petitioners' private consulting services they were providing for their clients, the Parker Defendants.

34. Paragraph 34 is admitted insofar as PISG is a party. However, PISG and its principals, Defendants Fratodi and Rosado, have indicated they lack any information regarding the identity

of the person or entity who paid or hired Petitioners for their private consulting services. In a 2021 article in the Wall Street Journal, Defendant Greg Parker is quoted as acknowledging that Petitioner Roman was hired by and was working for Defendant Parker and the contents of the article have never been retracted, nor has Defendant Parker, his spokesperson, or his attorneys ever asked for any retraction or correction of those statements. The remainder of Paragraph 34 is denied on information and belief.

35. Paragraph 35 is denied. Responding further, Respondents contend neither Section 19-11-100 nor *Matter of Decker*, 322 S.C. 215, 471 S.E.2d 462 (1995) apply to shield Petitioners' private consulting services they were providing for their clients, the Parker Defendants.

36. Respondents incorporate their responses to Paragraphs 1 through 35 as if restated here.

37. Paragraph 37 is a statement of law and requires no response. Responding further, Petitioners' counsel was given notice of both the status conference in July 2025 and the hearing on November 26, 2025 (Exh. B), but failed to communicate with the court or show up on either occasion.

38. Paragraph 38 is denied. Petitioners' counsel was copied on all emails coordinating the time and place for the hearing. (Exh. B). Responding further, Petitioners had fully briefed the issue before the Court and at an earlier status conference (at which Petitioners' counsel received notice but also did not appear), Plaintiffs/Respondents requested Judge Kelly rule on the pending motion. Judge Kelly was not required to hold a hearing before ruling on the motion. Rule 52(c), SCRCP; Rule 59(f), SCRCP (a Rule 59 "motion may in the discretion of the court be determined on briefs filed by the parties without oral argument"). *Cf. In re Civil Motions Pilot Program*, Order (S.C. Sup. Ct. filed Sept. 10, 2015), p. 1 (¶ 6: "After the submission of all timely filed

briefs, the trial court may grant oral argument in its discretion or may rule without further notice on the written filings without scheduling oral argument.... Motions pursuant to Rule 59(e) may be decided on briefs without a hearing."). Furthermore, Petitioners filed their motion on May 15, 2025, so that it was pending with the Court over six (6) months without any request for a ruling or a hearing before Judge Kelly ruled upon it.

39. Paragraph 39 is denied insofar as it alleges Judge Kelly's orders are void for any reason, including a lack of due process. Responding further, Petitioners' counsel was given notice of both the status conference in July 2025 and the hearing on November 26,2025 (Exh. B), but failed to communicate with the court or show up on either occasion.

40. Respondents incorporate their responses to Paragraphs 1 through 39 as if restated here.

41. Paragraph 41 is denied. Responding further, the contents of Mr. Roman's affidavit and Petitioners' Petition for Writ of Injunction are not proof – they are self-serving statements that demand to be tested by cross-examination and discovery.

42. Responding to Paragraph 42, this Court issued a temporary injunction on March 20, 2026, before obtaining a Return from Respondents. Respondents deny Petitioners are entitled to any injunctive relief. As suggested in footnote 2, above, the Court should appoint a referee to take evidence and issue a report and recommendation to the Court. The Court should further order Mr. Roman to stop evading process and appear for a deposition. The Court should also determine whether to permit the production sought under a protective order or refer the matter for *in camera* review by a referee.

43. Responding to the prayer for relief, the Court has already accepted this matter in its original jurisdiction and issued a temporary injunction. Respondents respectfully request the

Court deny the relief Petitioners seek, dissolve the injunction, and dismiss this writ as improvidently granted.

FOR A SECOND DEFENSE
(Motion to Dismiss)

44. Respondents repeat their assertions above as if fully restated here.

45. Pursuant to Rule 12, SCRCP, Respondents request that the Court dismiss this matter. Petitioners are seeking relief on matters that can be, and were, determined in the first instance in the circuit court. Rule 245(a), SCACR. Petitioners are actually seeking the issuance of a writ of review and are using this Court's original jurisdiction in lieu of an appeal.

46. Without citing to anything other than Mr. Roman's self-serving affidavit, Petitioners have not demonstrated to this Court that the public interest or special circumstances require this Court's unusual exercise of its original jurisdiction. Rule 245(a), SCACR. *Cf. State v. Price*, 441 S.C. 423, 895 S.E.2d 633 (2023) (explaining when the Court will issue common law writs of review; Judge Kelly's order does not fall within the test set forth in the majority decision). Examples where this Court found "exceptional circumstances" to issue a discretionary writ of review in discovery matters exist, but they are rare. *E.g.*, *Hollman v. Woolfson*, 2009-MO-25 (S.C. Sup. Ct. filed May 28, 2009) (in an unpublished opinion the Court reviewed and reversed order requiring eye clinic to provide names of all patients who obtained Lasik surgery to avoid invading patient privacy rights); *Laffitte v. Bridgestone Corp.*, 381 S.C. 460, 471-472, 674 S.E.2d 154, 160-161 (2009) (Court issued writ to review order requiring defendant to turn over tire formula in products liability case; Court stated "The instant case presents such exceptional

circumstances as it involves a novel question of law in a matter that has been the subject of numerous claims in state and federal courts. A decision by this Court at this time best serves the interests of judicial economy by eliminating the numerous inevitable appeals raising this novel issue of significant public interest."). *See, also, Oncology and Hematology Associates of S.C., LLC v. South Carolina Dept. of Health and Environmental Control*, 387 S.C. 380, 692 S.E.2d 920 (2010) ("Our willingness to review a discovery order by way of a writ of certiorari will be as rare as the proverbial 'hen's tooth'").

47. Respondents respectfully request that this Court reconsider its order of March 20, 2026, and dismiss the Petition as improvidently granted.

FOR A THIRD DEFENSE BY WAY OF COUNTERCLAIM
(Remand with Instructions)

48. Respondents repeat their assertions above as if fully restated here.

49. The Court should dismiss this Petition and remand the matter to Judge Kelly with instructions to permit limited discovery directed to Mr. Roman's claims of privilege under Section 19-11-100 for the private consulting services he provided the Parker Defendants.

50. The Court should find that by seeking affirmative relief in South Carolina, Mr. Roman has subjected himself to the jurisdiction of South Carolina courts and should order him to stop evading process and appear and produce proof to support his assertions beyond his self-serving affidavit.

51. The Court should give guidance to Judge Kelly, including a suggestion to take the information *in camera* or by way of a protective order.

FOR A FOURTH DEFENSE BY WAY OF COUNTERCLAIM
(Appointment of a Referee, Discovery, Briefing Schedule)

52. Respondents respectfully request that, pursuant to Rule 245(c), SCACR, the Court appoint a referee to take evidence and issue a report and recommendation.

53. Respondents request that the Court instruct any referee it appoints to permit discovery and require Mr. Roman to appear for a deposition.

54. Respondents also request that the Court instruct any referee to require Petitioners to produce all records, including payment records, related to the private consulting services Petitioners provided to the Parker Defendants.

55. The Court should consider requiring the referee to take the information under a protective order or *in camera* and issue a report and recommendation to this Court.

WHEREFORE, having fully responded to the Complaint in this matter, Respondents request the Supreme Court issue the following relief:

A. Dismiss the Petition as improvidently granted and dissolve the temporary injunction;

B. Alternatively, remand the matter to Judge Kelly to take evidence and issue a report and recommendation to this Court;

C. Alternatively, to appoint an independent referee to take evidence and issue a report and recommendation to this Court;

D. An award of costs and fees to Respondents incurred in responding to this matter;

E. Such other and further relief as the Court deems appropriate.

Respectfully submitted,

/s/ John S. Nichols
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March 30, 2026.