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Jun 19 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

The Honorable Crystal M. Rookard, Administrative Law Judge

Appellate Case No. 2026-000734

MPC Harden, LLC d/b/a 5 Points Saloon,

Respondent,

v.

South Carolina Department of Revenue,

Respondent,

and

Coley Frank Adams,

Intervenor-Appellant.

**CONSENT MOTION TO SEAL
FINANCIAL RECORDS**

Appellant Coley Frank Adams hereby respectfully requests that he be permitted to file under seal certain of Respondent MPC Harden, LLC's ("Saloon") financial records produced in discovery in this case, and also to file a redacted version of his brief that references Saloon's financial data. The basis for this motion is as follows:

1. This is an appeal from the South Carolina Administrative Law Court concerning the South Carolina Department of Revenue's denial of Respondent Saloon's liquor-by-the-drink license and the ALC's subsequent decision to grant Respondent's license pursuant to certain conditions. Appellant, who was an intervenor in the proceedings below, appealed from the ALC's Final Order and Order Denying Motion for Reconsideration on March 20, 2026.

2. During the contested case proceeding before the ALC, Saloon produced certain records reflecting point-of-sale data and tabulations of its revenues broken down by categories of products sold. Saloon produced these records intending them to be confidential because they reflect non-public financial data that Saloon considers commercially sensitive. Adams did not challenge Saloon's assertion of confidentiality, and on September 11, 2025, the ALC ordered those records sealed.

3. Adams seeks to include these sales reports in the record on appeal in this case, along with the deposition transcript of Saloon's Rule 30(b)(6) witness wherein these sales reports were made exhibits and discussed by the witness, as well as the transcript of the September 10, 2025 hearing on Saloon's motion *in limine* where these records were likewise discussed and made exhibits. Adams likewise seeks to reference that data in his initial brief for the Court's consideration.

4. Given that the ALC has already ordered these records sealed, Adams files this motion in an effort to adhere to the lower court's rulings. Adams respectfully submits that these records ought to continue to be sealed unless and until this Court rules otherwise, and that Adams should be permitted to submit these records under seal and to file a redacted version of his brief that removes references to Saloon's sales data.

5. The undersigned counsel has conferred with counsel for both Respondents concerning this request. Respondents consents to the relief requested herein.

WHEREFORE, Appellant respectfully requests that he be permitted to include the above-referenced records in the record on appeal in this case under seal, and further requests that he be permitted to file a redacted version of his initial brief that removes references to Saloon's sales data.

Respectfully submitted,

s/ Richard A. Harpootlian

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CERTIFICATE OF SERVICE

I, Holli Miller, paralegal to Richard A. Harpootlian, P.A., located at 1410 Laurel Street, Columbia, South Carolina 29201, hereby certify that on June 19, 2026, did serve, via email, the following document to the below counsel:

Document: Appellant's Motion to Seal

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