

STATE OF SOUTH CAROLINA

COUNTY OF HAMPTON

RENEE S. BEACH, PHILLIP BEACH,
ROBIN BEACH, SAVANNAH TUTEN,
AND SETH TUTEN,

Plaintiffs,

v.

GREGORY M. PARKER, GREGORY
M. PARKER, INC. d/b/a PARKER'S
CORPORATION, BLAKE GRECO,
JASON D'CRUZ, VICKY WARD,
MAX FRATODDI, HENRY ROSADO,
AND PRIVATE INVESTIGATION
SERVICES GROUP, LLC,

Defendants.

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT

C/A No. 2021-CP-25-00392

**MOTION TO EXTEND THE ADR
DEADLINE AND REQUEST FOR AN
EXPEDITED RULING ON PRIVILEGE
REVIEW ON BEHALF OF GREGORY
M. PARKER, GREGORY M. PARKER,
INC, d/b/a PARKER'S CORPORATION,
BLAKE GRECO AND JASON D'CRUZ**

Defendants Gregory M. Parker ("**Mr. Parker**"), Gregory M. Parker, Inc., d/b/a Parker's Corporation ("**Parker's Corporation**"), Blake Greco, and Jason D'Cruz (collectively, "**Parker's Defendants**"), pursuant to Rule 6(b) of the South Carolina Rules of Civil Procedure, respectfully request the Court to extend the deadline by which the Parker's Defendants must conduct the required Alternative Dispute Resolution ("**ADR**") in this case.

On April 20, 2023, the Court noticed the parties that ADR was required within ninety (90) days from the date of notice, making the deadline to conduct ADR July 17, 2023. This notice is attached as **Exhibit A**. Good cause under Rule 6(b) is established for a number of reasons. First, essentially no discovery has occurred in this case and no answer has been filed by the Parker's Defendants. Second, there are significant motions pending before Court, including but not limited to the outstanding Motions to Dismiss, a Motion to Disqualify Mark Tinsley, and a number of Motions to Compel discovery from Plaintiffs' Counsel related to the disqualification of Mark

Tinsley, one of which is being filed simultaneously herewith.¹ Third, the Court recently issued an Order on May 24, 2023, regarding its privilege review in response to the Supreme Court's October 5, 2022 Order directing the Court to conduct a detailed privilege review, the privilege review having been the subject of multiple motions and other pleadings filed with this Court and the Supreme Court over the last year. The Parker's Defendants continue to review this Order, and plan to file a Motion for Partial Reconsideration this week. Given the Plaintiffs' counsel's review and continued possession of a significant number of privileged documents, and given the fact that multiple potentially privileged documents have not been reviewed and ruled on by the Court, any attempt at ADR would be premature. Further, the Parker's Defendants believe that a hearing on their pending Motions to Disqualify and to Dismiss should come before any attempts at ADR.

Undersigned counsel has consulted via email with counsel for the other parties regarding this continuance request. Counsel for the Max Fratoddi, Henry Rosado, and Private Investigation Services Group, LLC consent to and appear to join in the request for an extension of the ADR deadline as noted in the attached **Exhibit B**. Based on Plaintiffs' counsel's response to the undersigned's consultation, which is attached hereto as **Exhibit C**, it appears Plaintiffs do not consent to this request.

The Parker's Defendants respectfully submit that there is no chance of resolving the case at this stage of the litigation. . Further, Plaintiffs' counsel possession of privileged documentation will no doubt impact any potential resolution of this case and also may have implications in the related civil action of *Renee S. Beach, as Personal Representative of the Estate of Mallory Beach*

¹ The Motion to Compel filed simultaneously herewith concerns Plaintiffs' counsel's failure to comply with subpoenas related to their improper possession of documents referenced as the Inquiry Agency Files in earlier pleadings, documents that are clearly in their possession given their submission of those documents to the Court during the February 16, 2023 hearing.

v. Gregory M. Parker, Inc., et al., Case Number 2019-CP-25-00111, which is currently scheduled for trial in August, 2023. Therefore, the Parker's Defendants respectfully request the Court to extend the ADR deadline until at least June 3, 2024.

Respectfully submitted,

s/ Mark C. Moore

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Susan P. McWilliams (SC Bar No. 3918)
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ATTORNEYS FOR DEFENDANTS
GREGORY M. PARKER AND GREGORY M.
PARKER, INC. d/b/a PARKER'S
CORPORATION, JASON D'CRUZ AND
BLAKE GRECO

May 31, 2023
Columbia, South Carolina

Renee S. Beach, et al. v. Gregory M. Parker, Inc. d/b/a Parker's Corporation, et al.
Case No. 2021-CP-25-00392
MOTION TO EXTEND THE ADR DEADLINE AND REQUEST FOR
EXPEDITED RULING ON PRIVILEGE REVIEW

EXHIBIT A

ADR NOTICE

NOTICE OF ADR

2021CP2500392

Renee S. Beach
Seth Tuten
Savannah Tuten

PLAINTIFF(S)

Filing Date: December 3, 2021

Vs

Gregory M. Parker
Henry Rosado
Max Fratoddi

DEFENDANT(S)

Pursuant to the South Carolina Alternative Dispute Resolution Rules (SCADR), you are required to participate in the following methods of Alternative Dispute Resolution (ADR): mediation or arbitration (binding or non-binding); on or before 300 days from the date of filing of this action. The parties have a right to mutually agree upon the form of ADR and a neutral person(s) to conduct that ADR process. In the event the parties are unable to agree upon the form of ADR, the court hereby designates mediation as the default process of ADR. In the event the parties are unable to agree upon a mediator, the court hereby appoints

John Arthur Jones, PO Box 22768, 40 Calhoun Street, Suite 315, Charleston, SC 29413, Phone (843) 735-7600

to serve as mediator. In the event the aforementioned mediator has a conflict of interest or is unable to serve, the alternate mediator

Everett Augustus Kendall II, PO Box 6648, , Columbia, SC 29260, Phone (803) 782-4100

The parties and/or their lawyers shall contact the court-appointed mediator directly regarding scheduling and payment of the court-mandated fee.

A Rule to Show Cause why sanctions should not be imposed may be issued in all cases that fail to file a Proof of ADR or Exemption form indicating evidence of participation in or exemption from an ADR process within 300 days from the date of filing of the action or 90 days from the date of this notice 07-17-2023.

Date: April 17, 2023

Notice of this Order was given by First Class Mail, E-mail, Fax or by the E-Filing Notice of Electronic Filing (NEF). Pro-Se parties were notified by first class mail on 04/17/2023

Plaintiff Attorney:

Mark Brandon Tinsley
PO Box 1000
Allendale, SC 29810

Roberts "Tabor" Vaux Jr.
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Bluffton, SC 29910

Defendant Attorney:

Sarah Megan Kovalchek
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Ralph E. Tupper
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Beaufort, SC 29901

ADR Coordinator

Jvonndra Brooks-Creech
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jbrooks@hamptoncountysc.org

ELECTRONICALLY FILED - 2023 Apr 20 4:41 PM - HAMPTON - COMMON PLEAS - CASE#2021CP2500392
ELECTRONICALLY FILED - 2023 May 31 4:24 PM - HAMPTON - COMMON PLEAS - CASE#2021CP2500392

Renee S. Beach, et al. v. Gregory M. Parker, Inc. d/b/a Parker's Corporation, et al.
Case No. 2021-CP-25-00392
MOTION TO EXTEND THE ADR DEADLINE AND REQUEST FOR
EXPEDITED RULING ON PRIVILEGE REVIEW

EXHIBIT B

E-MAIL WITH CONSENT BY PRIVATE INVESTIGATOR DEFENDANTS

Rhett D. Ricard

From: John M. Grantland <jgrantland@murphygrantland.com>
Sent: Thursday, May 18, 2023 8:36 AM
To: Rhett D. Ricard
Cc: Drew Radeker
Subject: RE: Consultation Regarding a Continuance of the ADR Deadline - Beach et al. v. Parker et al. [IWOV-NPDocuments.FID4872016]

I think I can speak for Drew when I say that we can consent to extending the ADR deadline.

Thank you Rhett!

Take care

JG

From: Rhett D. Ricard <RRicard@maynardnexsen.com>
Sent: Thursday, May 18, 2023 7:44 AM
To: Mark Tinsley <mark@goodingandgooding.com>; Tabor Vaux <tabor.vaux@vmbllawfirm.com>; John M. Grantland <jgrantland@murphygrantland.com>; sarah@harrisonfirm.com; Jody Lyles <JLyles@murphygrantland.com>; Drew Radeker <Drew@harrisonfirm.com>; Taylor Smith <taylor@harrisonfirm.com>
Cc: Mark C. Moore <MMoore@maynardnexsen.com>; Deborah Barbier <dbb@deborahbarbier.com>; nedtupper@tgdcpa.com; angela@goodingandgooding.com; Laine Gooding <laine@goodingandgooding.com>
Subject: Consultation Regarding a Continuance of the ADR Deadline - Beach et al. v. Parker et al. [IWOV-NPDocuments.FID4872016]

Good morning, Counsel,

The parties received notice from the Court that our alternative dispute resolution (ADR) deadline is July 17, 2023 (see attached). The Parker's Defendants intend to request a continuance from the Court of this deadline until at least June 3, 2024. We are contacting you to inquire whether you consent to this request and would like to join our motion for a continuance of this ADR deadline.

Please let us know if you consent and would like to join our motion as well as if you have any questions or concerns.

Respectfully,

Rhett D. Ricard

Associate | Complex Litigation
P: (843) 720-1707
RRicard@maynardnexsen.com

205 King Street Suite 400
Charleston, South Carolina 29401



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recipient, be aware that any disclosure, distribution or copying of this e-mail or its attachments is prohibited. If you have received this e-mail in error, please notify the sender immediately of that fact by return e-mail and permanently delete the e-mail and any attachments to it. Thank you.

ELECTRONICALLY FILED - 2023 May 31 4:24 PM - HAMPTON - COMMON PLEAS - CASE#2021CP2500392

Renee S. Beach, et al. v. Gregory M. Parker, Inc. d/b/a Parker's Corporation, et al.
Case No. 2021-CP-25-00392
MOTION TO EXTEND THE ADR DEADLINE AND REQUEST FOR
EXPEDITED RULING ON PRIVILEGE REVIEW

EXHIBIT C

E-MAIL FROM PLAINTIFFS' COUNSEL

From: Mark Tinsley <mark@goodingandgooding.com>
Sent: Thursday, May 18, 2023 8:49 AM
To: Rhett D. Ricard
Cc: Tabor Vaux; John M. Grantland; sarah@harrisonfirm.com; jlyles@murphygrantland.com; Drew Radeker; Taylor@harrisonfirm.com; Mark C. Moore; Debbie Barbier; nedtupper@tgdcpa.com; angela@goodingandgooding.com; Laine Gooding
Subject: Re: Consultation Regarding a Continuance of the ADR Deadline - Beach et al. v. Parker et al. [IWOV-NPDocuments.FID4872016]

We may as well meditate it because I intend to try the case.

Mark Tinsley
Sent from my iPhone

On May 18, 2023, at 7:44 AM, Rhett D. Ricard <RRicard@maynardnexsen.com> wrote:

Good morning, Counsel,

The parties received notice from the Court that our alternative dispute resolution (ADR) deadline is July 17, 2023 (see attached). The Parker's Defendants intend to request a continuance from the Court of this deadline until at least June 3, 2024. We are contacting you to inquire whether you consent to this request and would like to join our motion for a continuance of this ADR deadline.

Please let us know if you consent and would like to join our motion as well as if you have any questions or concerns.

Respectfully,

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RRicard@maynardnexsen.com

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Charleston, South Carolina 29401

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<4.20.23 - Notice of ADR - Beach v. Parkers.PDF>