

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

Alexis Berg,
Plaintiff,

vs.

Patrick Bryant, John Osborne, Eric Bowman,
Pommer Group LLC, Assignment Desk Works
LLC and GLT2, LLC,
Defendants.

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
C/A NO.: 2025-CP-10-03124

**DEFENDANT AND THIRD-PARTY
PLAINTIFF PATRICK BRYANT'S
MOTION FOR SANCTIONS AGAINST
PLAINTIFF ALEXIS BERG AND HER
COUNSEL MARYBETH MULLANEY**

Patrick Bryant,
Third Party Plaintiff,

vs.

Nancy Ruth Mace and Melissa Britton,
Third Party Defendants.

TO: MARYBETH MULLANY, ATTORNEY FOR PLAINTIFF:

YOU WILL TAKE NOTICE that Defendant and Third-Party Plaintiff Patrick Bryant (“Bryant”), by and through his undersigned counsel, will move at such time and place as the Court deems proper, for an order for sanctions pursuant to Rule 11, SCRPC, due to Plaintiff and her counsel, Marybeth Mullaney’s filing of this lawsuit without prior reasonable inquiry into the facts and impermissible reliance on hearsay and demonstrably false statements of a third party, Nancy Mace. The undersigned certifies he has consulted with opposing counsel regarding the subject of this Motion prior to filing. The grounds for the motion are as follows:

In short, Plaintiff and Marybeth Mullaney filed this lawsuit accusing Patrick Bryant of filming an assault and calling him a criminal, predator and rapist without a shred of evidence or factual or legal basis. There is no video of an alleged assault. There are only four relevant photographs, none of which show Patrick Bryant filming an assault, or any wrongdoing. That leaves a PDF copy of the purported “diary e-mail” that Melissa Britton claims she authored and sent to herself on October 26, 2018. The “diary email” was produced in PDF format with no metadata, or evidence that Britton sent it to herself. Only a PDF printout that was prepared well after October 26, 2018 (and therefore did not have it at the time this lawsuit was filed). No one that has graduated from law school, passed the bar exam, and practiced even for a minute would rely on this clearly doctored PDF to file a lawsuit. That is the totality of the evidence. Based on these undisputed facts, Plaintiff and Marybeth Mullaney failed to conduct a reasonable inquiry into the veracity of the allegations within her Complaint and must be sanctioned.

Initially, Plaintiff claims to have no memory of the alleged assault, or any crime committed on October 25–26, 2018. As a result, the only possible bases for the claims made by Plaintiff and Marybeth Mullaney are the unsupported claims of Nancy Mace regarding the existence of a video of the alleged assault and an alleged diary e-mail authored by witness Melissa Britton. Plaintiff and Marybeth Mullaney swore that both existed in the Complaint. However, neither Plaintiff nor Marybeth Mullaney possessed, viewed, or confirmed the existence of either piece of evidence (i) prior to the filing of the initial Complaint; (ii) prior to the filing of the First Amended Complaint¹;

¹ Plaintiff and Marybeth Mullaney filed the initial Complaint on May 29, 2025, and the subsequent Amended Complaint on June 10, 2025, asserting allegations that a sexual assault occurred on October 26, 2018. Then, on or about December 24, 2025, Plaintiff and Marybeth Mullaney filed a Motion for Leave to File a Second Amended Complaint. The initial Complaint, Amended Complaint and proposed Second Amended Complaint shall collectively be referred to as the “Complaint.” Thus, Plaintiff and Marybeth Mullaney violated Rule 11 on three separate occasions by asserting false claims without conducting a reasonable inquiry into the allegations/facts.

and (iii) as of the date of this filing. This was confirmed in Plaintiff's discovery responses dated November 14, 2025, Plaintiff's sworn testimony on December 15, 2025, and at two motion hearings before Judge Hocker on October 22, 2025, and December 30, 2025. Plaintiff testified under oath that excerpts of the diary e-mail were read to her, but despite her multiple requests to Britton, Britton refused to turn over the diary e-mail until providing an incomplete, printed PDF copy, **with no metadata**, on December 30, 2025.

Despite her lack of direct knowledge and without access to *any* evidence, Plaintiff and Marybeth Mullaney filed the 213-paragraph Complaint and made allegations that Bryant committed heinous sexual crimes. Plaintiff and Marybeth Mullaney constantly refer to Bryant as a "criminal" who engaged in "criminal sexual acts" throughout the Complaint. Plaintiff and Marybeth Mullaney reference Nancy Mace's speech calling Bryant a rapist and claiming to be in possession of a rape video without ever obtaining or confirming the existence of the video and without any proof of any criminal activity, and in the absence of an arrest, charge, or conviction for this incident or any incident. This is sanctionable conduct.

Despite these undisputed facts, Plaintiff and Marybeth Mullaney refused to withdraw the allegations and claims. Bryant sent not one but two Rule 11 Sanctions Letters to Marybeth Mullaney dated October 27, 2025 (attached as **Exhibit 1**²), and November 17, 2025 (attached as **Exhibit 2**), demanding that these allegations be stricken and the claims be dismissed.

Since Bryant issued these letters to Marybeth Mullaney, it has only become more clear that Plaintiff possessed no meaningful evidence of her claims—specifically, Plaintiff lacked possession of or access to the alleged assault video, the diary e-mail, or any direct witness testimony, and relied solely on hearsay from Nancy Mace—when she made false statements in her Complaint.

² Exhibits will be submitted to the Court via e-mail.

At the October 22, 2025 hearing on Bryant’s Motion for In Camera Review, Plaintiff’s counsel represented that she was not in possession of, nor had she even seen, the alleged assault video. She stated: “No, Your Honor. I don’t have the video. That’s not in my custody and control.” (Transcript of October 22, 2025 Hearing attached as **Exhibit 3**, at 6:8–10). In response, Bryant served the Rule 11 Sanctions Letters demanding that all references to the alleged assault video be removed and stricken immediately. Plaintiff and Marybeth Mullaney refused to comply.

Additionally, Marybeth Mullaney claimed that the only other potential evidence was not in Plaintiff’s possession at the time of the hearing, and by extension, at the time Plaintiff’s Complaint was filed. She stated: “The [diary] e-mail, while I have seen it and it has been read to me, is in the custody and control of Melissa Britton, as are pictures that are also in the custody and control of SLED. These pictures show my client naked on the couch, Mr. Osborne on top of her, with Mr. Bryant and Mr. Bowman on either side of the couch, filming it on their phones...” (**Exhibit 3** at 6:12–21). These statements were outright false.

First, Marybeth Mullaney’s claim that she “has seen the diary e-mail” is categorically false. Plaintiff testified that she has never seen the diary e-mail, and documents produced in the ADW v. Berg case demonstrate that Britton refused to provide Plaintiff or Marybeth Mullaney with a copy of it. Moreover, Britton’s former attorney, Eddie Phipps, confirmed at the December 30 hearing that he had not released or distributed any documents received from Melissa Britton, which would include the diary e-mail, due to a Non-Disclosure Agreement. Worse, Marybeth Mullaney represented in an e-mail to Bryant’s Counsel that she received the diary e-mail, for the first time, from Britton’s attorney, Mary Grace Maybank, after the December 30, 2025 hearing (attached as **Exhibit 4**). Thus, Marybeth Mullaney lied to the Court regarding the existence of and her access to the diary e-mail.

Second, Marybeth Mullaney misrepresented the existence of two photographs that allegedly show “Mr. Bryant and Mr. Bowman on either side of the couch, filming [the assault].” In fact, there are two photographs from a Nest camera, but neither depicts Mr. Bryant or Mr. Bowman filming Plaintiff or engaging in any assault. (attached as **Exhibit 5**). These false statements were made to avoid an unfavorable ruling on Bryant’s Motion for In Camera Review, which was filed in the days following the hearing, and to conceal from the Court the lack of evidence supporting Plaintiff’s allegations.

Finally, per the Court’s order at the December 30, 2025 hearing, Marybeth Mullaney provided to the Court all evidence pertaining to the events of October 26, 2018, in her possession. Upon information and belief, Marybeth Mullaney provided the “evidence” to Judge Hocker or about January 14, 2026. In a January 18, 2026 e-mail, Marybeth Mullaney clarified that the only evidence in her possession was “four photographs of my client on the night in question—two photographs I received from Ms. Britton and two I received from Ms. Mace. In addition, I emailed a PDF of Ms. Britton’s diary entry.” (January 18, 2026 e-mail attached as **Exhibit 6**). The two photographs from Melissa Britton are the two previously misrepresented Nest photos discussed above. The two photographs from Nancy Mace are, upon information and belief, two versions of the same photograph of a photograph of Alexis Berg covered by pillows on a couch. The evidence is plainly insufficient to support the heinous allegations in Plaintiff’s Complaint.

In sum, Plaintiff and Marybeth Mullaney have been armed with insufficient evidence of an assault, or proof that Patrick Bryant filmed an alleged assault. Despite this, they have continued to call Patrick Bryant a criminal, rapist, and predator and continue their frivolous claims.

Request for Sanctions

Based on the above, and other grounds to be supplemented later, good cause exists for this Court to issue sanctions against Plaintiff and Marybeth Mullaney. This motion is supported by

South Carolina law, the pleadings filed in this matter, memoranda of law to be submitted, any exhibits attached to those memoranda, and the arguments of counsel during the hearing on this matter.

Respectfully submitted,

Dated: January 23, 2026

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