

cc: Jay
Angela

STATE OF SOUTH CAROLINA)
COUNTY OF _____)

IN THE COURT OF COMMON PLEAS
_____ JUDICIAL CIRCUIT
CASE NO.: 2025-CP-10-02671

Assignment Desk
Workes Plaintiff,
vs.
Alexis Bey Defendant.

MOTION AND ORDER INFORMATION
FORM AND COVERSHEET

Plaintiff's Attorney: _____, Bar No. _____ Address: _____ Phone: _____ Fax _____ E-mail: _____ Other: _____	Defendant's Attorney: _____, Bar No. _____ Address: _____ Phone: _____ Fax _____ E-mail: _____ Other: _____
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- 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: TRO
 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.

[Signature] Signature of Attorney for Plaintiff / Defendant 1-27-26 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

Motion Fee to be paid upon filing of the attached order.
 Other: _____

JUDGE CODE _____
 Date: _____

CLERK'S VERIFICATION

Collected by: _____ Date Filed: _____
 MOTION FEE COLLECTED: \$ _____
 CONTESTED - AMOUNT DUE: \$ _____

FILED

2026 JAN 27 AM 9:57

JULIE J. BRISTONG
CLERK OF COURT

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)
)
)
ASSIGNMENT DESK)
WORKS, LLC,)
)
Plaintiff,)
vs.)
)
ALEXIS BERG,)
)
Defendant.)
_____)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CASE NO.: 2025-CP-10-02671

MOTION FOR EMERGENCY TEMPORARY
RESTRAINING ORDER

**NOW HERE COMES THE PROPOSED INTERVENOR'S MOTION FOR
TEMPORARY RESTRAINING ORDER** The Honorable Nancy R. Mace ("Proposed
Intervenor" or Rep. Mace") respectfully moves this Court pursuant to Rule 65(b), SCRPC, and
the Court's inherent authority for an emergency Temporary Restraining Order to prevent
irreparable harm to Rep. Mace through the continued disclosure and use of her privileged
materials. In support of this Motion, Rep. Mace states as follows:

EMERGENCY TEMPORARY RESTRAINING ORDER SHOULD BE GRANTED

This Motion is filed on an emergency basis because Rep. Mace's privileged materials
may have already been improperly disclosed to adverse parties, and further irreparable harm is
imminent absent immediate judicial intervention.

Rep. Mace has filed contemporaneously with this Motion a Motion to Intervene, Motion
to Dismiss, Motion to Sanction, a Protective Order and a Motion to Stay. However, the urgency
of the circumstances requires immediate temporary relief to preserve the status quo and prevent
further dissemination of her most sensitive personal information pending resolution of those
motions.

FACTUAL BACKGROUND

Rep. Mace is a sitting Member of the United States House of Representatives and a candidate for Governor of South Carolina. She is also a victim of the conduct at issue in the underlying SLED criminal investigation into Mr. Bryant and others.

In connection with that investigation and potential civil litigation, Rep. Mace shared confidential information with her attorneys, including Ms. Marybeth Mullaney (“Ms. Mullaney”) and with other victims who share a common legal interest in holding their abusers accountable. These materials may include, but are not limited to:

- a. Nonconsensual photographs and/or video taken by Mr. Bryant with a hidden camera and without Rep. Mace's knowledge or consent;
- b. Private video diaries containing deeply personal content from Rep. Mace;
- c. Confidential medical information regarding Rep. Mace's PTSD and physical symptoms;
- d. Text message communications between Rep. Mace and other victims; and
- e. Materials provided to SLED in furtherance of the ongoing criminal investigation.

Ms. Mullaney has improperly obtained these materials and has already disclosed some of them to adverse parties, including to Mr. Bryant, the very individual who victimized Rep. Mace and allegedly other women. ADW's discovery requests in this case seek additional privileged materials, and absent a temporary restraining order, further disclosure is imminent.

LEGAL STANDARD

A temporary restraining order is appropriate where the Proposed Intervenor demonstrates: (1) a likelihood of success on the merits; (2) irreparable harm absent injunctive relief; (3) the threatened injury to the movant outweighs the potential harm to the opposing party; and (4) the injunction will not disserve the public interest. *Scratch Golf Co. v. Dunes W. Residential Golf Props., Inc.*, 361 S.C. 117, 603 S.E.2d 905 (2004).

ARGUMENT

A. Rep. Mace Is Likely to Succeed on the Merits.

This TRO is not a close call. The materials fall squarely within South Carolina's established privilege doctrines, and their unauthorized disclosure violates Rule 26(b)(5)(B) and longstanding ethical obligations. Rep. Mace is the holder of multiple privileges that protect the materials at issue. Rep. Mace shared confidential information with attorneys in connection with potential legal representation and for a SLED investigation. These communications are protected by the attorney-client privilege. *State v. Love*, 275 S.C. 55, 271 S.E.2d 110 (1980).

Materials were prepared in anticipation of litigation against Bryant and others and therefore there is a work-product doctrine of the privileged material. *Tobacoville USA, Inc. v. McMaster*, 692 S.E.2d 526 (S.C. 2010).

Rep. Mace shared information with other victims for the purpose of pursuing a common legal interest. The common interest doctrine preserves the confidentiality of such communications. *In re Mt. Hawley Ins. Co.*, 427 S.C. 159, 829 S.E.2d 707 (2019) and *Tobacoville USA, Inc. v. McMaster* (S.C. 2010).

Materials were provided to SLED as part of the ongoing criminal investigation and SLED denied Mr. Bryant this material pursuant to Rule 45 which provides the mechanism to quash such information, material, evidence and subpoenas when privileged material is sought.

Ms. Mullaney's disclosure of these privileged materials to adverse parties violated each of these privileges. Under Rule 26(b)(5)(B), SCRPC, a party who receives privileged materials must promptly return, sequester, or destroy them and may not use or disclose them until the privilege claim is resolved. Ms. Mullaney violated this rule by disclosing the materials to Mr. Bryant after being on notice of Rep. Mace's privilege claims.

B. Rep. Mace Will Suffer Irreparable Harm Absent a TRO.

The disclosure of privileged materials constitutes irreparable harm as a matter of law because, once disclosed, the confidentiality of privileged communications cannot be restored. *The bell cannot be unrung*, and such disclosures cause permanent damage. Here, the harm is not hypothetical, it is ongoing. The materials at issue include:

- Nonconsensual photographs and/or videos taken by Mr. Bryant's hidden camera without Rep. Mace's knowledge or consent, the disclosure of which is independently actionable under S.C. Code Ann. § 16-15-332 and could give rise to felony charges;
- Confidential PTSD symptoms, which implicate both privacy rights and reputational harm;
- Private communications between victims, now in the hands of the alleged abuser; and
- Law enforcement evidence, risking obstruction of an active SLED criminal investigation.

Each unauthorized disclosure is a fresh violation that causes additional, irretrievable injury. Moreover, allowing continued use of these materials in civil litigation risks retraumatizing the victim while undermining public confidence in the judicial process.

C. The Balance of Equities Favors a TRO.

The requested TRO would simply **preserve the status quo** and prevent further harm, not prohibit legitimate litigation activity. Plaintiff ADW and its counsel are not entitled to privileged materials, and no legitimate interest is served by continuing to access, review, or disclose them. Importantly, Rep. Mace is not a party to this litigation and was not served with any subpoena or given an opportunity to protect her interests before the materials were obtained and disseminated.

In contrast, the harm to Rep. Mace, if the TRO is denied, is profound and irreversible. Her most confidential, and legally protected materials will continue to be exploited by an individual already sanctioned for abusing discovery and by parties with no right to possess them. This is not a theoretical harm, it has already occurred. Mr. Bryant has weaponized victim communications in court filings, including a January 21, 2026 affidavit filed January 21, 2026 in Berg v. Bryant et al (Case No. 2025CP1003124)., and will continue to do so unless judicial intervention halts further abuse.

D. A TRO Serves the Public Interest.

The public has a strong interest in protecting the integrity of attorney-client relationships, ensuring that victims who cooperate with law enforcement are not punished for doing so, and preventing civil discovery from being used to compromise criminal investigations. A TRO serves all of these interests.

The public also has an interest in protecting victims of abuse from having their most private information weaponized against them by their alleged abusers. Allowing discovery to circumvent victim protections in a criminal investigation would send a dangerous message to future witnesses and survivors.

This Court now stands as the only barrier between a victim's most private materials and their continued misuse by the very individuals who violated her trust. If privilege means anything, it must mean something here.

PRAYER FOR RELIEF

Rep. Mace respectfully requests that this Court enter a Temporary Restraining Order:

1. Restraining Plaintiff Assignment Desk Works, LLC, its counsel Rene Stuhr Dukes, Mr. Bryant, and all persons acting in concert with them from seeking, obtaining, using, or

disclosing any of Rep. Mace's privileged materials, including but not limited to materials protected by the attorney-client privilege, work product doctrine, common interest privilege, and law enforcement investigatory privilege;

2. Restraining Ms. Mullaney, Mullaney Law Firm, Mr. Bryant, Ms. Dukes, and Saxton and Stump Law Firm, and all persons acting in concert with any of these individuals and/or firms from further disclosing any of Rep. Mace's privileged materials to any person or entity;
3. Ordering all parties and counsel who possess Rep. Mace's privileged materials to immediately sequester such materials and refrain from any use or disclosure pending resolution of the privilege issues;
4. Ordering all parties and counsel to provide a detailed accounting of all of Rep. Mace's privileged materials in their possession, custody, or control, including the source, date of acquisition, and all persons to whom such materials have been disclosed;
5. Setting this matter for a hearing on a preliminary injunction within fourteen (14) days; and
6. Granting such other and further relief as the Court deems just and proper.

CONCLUSION

For the foregoing reasons, Rep. Mace respectfully requests that this Court grant her Emergency Motion for Temporary Restraining Order.

VERIFICATION

I, Nancy R. Mace, being duly sworn, state as follows:

1. I am the Proposed Intervenor in this matter and have personal knowledge of the facts set forth in the foregoing Emergency Motion for Temporary Restraining Order.

2. The facts set forth in the foregoing Motion are true and correct to the best of my knowledge, information, and belief.
3. I am a victim of the conduct at issue in the underlying SLED criminal investigation and have provided privileged material to SLED as part of their open and ongoing investigation.
4. I shared confidential and privileged information with attorneys, including Ms. Mullaney, in connection with potential legal representation and a proposed class action lawsuit against Mr. Bryant as well as for potential future litigation.
5. I shared information with other victims of Mr. Bryant for the purpose of pursuing a common legal interest in holding him accountable.
6. The materials at issue include nonconsensual photographs and/or video taken by Mr. Bryant on a hidden camera and turned over to law enforcement on grounds for voyeurism, private video diaries, confidential medical information regarding my PTSD diagnosis, and text message communications between myself and other victims.
7. Ms. Mullaney has disclosed my privileged materials to adverse parties, including to Mr. Bryant, without my authorization.
8. I will suffer irreparable harm if my privileged materials continue to be disclosed to adverse parties.

January 27, 2026

Respectfully submitted,

A handwritten signature in black ink that reads "Nancy Mace". The signature is written in a cursive, flowing style.

REPRESENTATIVE NANCY R. MACE

Member of Congress

Pro Se

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