

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF SPARTANBURG	)	SEVENTH JUDICIAL CIRCUIT
	)	
RENEE S. BEACH, PHILLIP BEACH,	)	
ROBIN BEACH, SAVANNAH TUTEN	)	
and SETH TUTEN,	)	
	)	CASE NO. 2026-CP-42-04208
Plaintiffs,	)	
v.	)	
	)	ORDER REGARDING
GREGORY M. PARKER, GREGORY	)	THE PARKERS DEFENDANTS'
M. PARKER, INC., d/b/a PARKER'S	)	AMENDED MOTION TO
CORPORATION, BLAKE GRECO,	)	CONFIRM CONFIDENTIALITY
JASON D'CRUZ, VICKYWARD,	)	DESIGNATIONS
MAX FRATODDI, HENRY ROSADO	)	
and PRIVATE INVESTIGATIONS	)	
SERVICES GROUP, LLC,	)	
	)	
Defendants.	)	

Defendants Gregory M. Parker, Gregory M. Parker, Inc. d/b/a Parker's Corporation, Blake Greco, and Jason D'Cruz (the "Parkers Defendants") filed an amended motion for this Court to "confirm confidential designations" regarding their document production. Plaintiffs Renee S. Beach, Phillip Beach, Robin Beach, Savannah Tuten and Seth Tuten ("Plaintiffs") filed a response contending the Parkers Defendants' designations with regard to certain documents did not meet the test of the Confidentiality Order this Court entered on December 31, 2025, and the designations should be removed on the subset of documents Plaintiffs desired to file with the Supreme Court of South Carolina in *Ex parte Roman v. PNC Financial Services Group, Inc.*, App. Case No. 2026-000713 (S.C. Sup. Ct. 2026), a collateral matter pending in that Court's original jurisdiction. Pursuant to Paragraph 7 of the Confidentiality Order and Rule 41.1, SCRCF, Plaintiffs provided the documents to the Court under seal.

On August 25, 2026, the Parkers Defendants notified Plaintiffs that they removed the “confidential” designation to one portion of the documents, so there is no issue regarding those particular documents before the Court. The Court held a WebEx conference on September 8, 2026, to discuss whether to order the removal of Defendants’ “Confidential” designation as to the remaining documents identified as “Exhibit A” in an email to the Court dated July 26, 2026.

The Court has reviewed the filings by the parties and had discussions on this issue at the WebEx conference. After consideration of the arguments, review of the Confidentiality Order, and review of the parties’ filings, the Court makes the following rulings as to the documents identified as “Exhibit A” to the July 26, 2026, email.¹

The Confidentiality Order this Court entered on December 31, 2025, provides:

3. **Documents Which May be Designated Confidential.** Any party may designate documents as confidential but only after review of the documents by an attorney who has, in good faith, determined that the documents contain information protected from disclosure by statute, sensitive personal information, trade secrets, or confidential research, development, or commercial information. Information or documents which are available in the public sector may not be designated as confidential.

(Order, p. 2, ¶ 3, 5). The Order provides further:

9. **Challenges to Designation as Confidential.** Any CONFIDENTIAL designation is subject to challenge. The following procedures shall apply to any such challenge.

¹ The parties also discussed the Parkers Defendants’ designations regarding all of the remaining documents the Parkers Defendants produced. However, the only issue before the Court at this time is whether the Court should confirm the Parkers Defendants’ designation of the documents contained in Exhibit A as “confidential.” Nothing in this Order should be construed to address any other issue.

- a. The burden of proving the necessity of a Confidential designation remains with the party asserting confidentiality.
- b. A party who contends that documents designated CONFIDENTIAL are not entitled to confidential treatment shall give written notice to the party who affixed the designation of the specific basis for the challenge. The party who so designated the documents shall have fifteen (15) days from service of the written notice to determine if the dispute can be resolved without judicial intervention and, if not, to move for an Order confirming the Confidential designation.
- c. Notwithstanding any challenge to the designation of documents as confidential, all material previously designated CONFIDENTIAL shall continue to be treated as subject to the full protections of this Order until one of the following occurs:
- (1) the party who claims that the documents are confidential withdraws such designation in writing;
 - (2) the party who claims that the documents are confidential fails to move timely for an Order designating the documents as confidential as set forth in paragraph 9.b. above; or
 - (3) the court rules that the documents should no longer be designated as confidential information.
- d. Challenges to the confidentiality of documents may be made at any time and are not waived by the failure to raise the challenge at the time of initial disclosure or designation.

(Order of Dec. 31, 2025, pp.; 5-6, ¶ 9).

Pursuant to Paragraph 9(b) of the Confidentiality Order, Plaintiffs notified the Parker Defendants in writing of their challenge to the manner in which the Parker Defendants designated these particular documents as “Confidential.” The Parker Defendants timely moved

pursuant to Paragraph 9(b) for an Order confirming their Confidential Designations as to the documents Plaintiffs seek to use in the *Roman* matter.

Regarding the specific documents contained in Exhibit A, the Court first rules that these materials are not protected by the attorney-client privilege or the attorney work product doctrine. Those issues have been decided by previous orders entered in this case. *See, e.g., Deloitte & Touche, LLP v. Unisys Corp.*, 358 S.C. 179, 184 n 3, 594 S.E.2d 523, 525 n. 3 (2004) (“one circuit judge does not have the power to review, modify, affirm or reverse the findings of another circuit judge”).

Next, the Court deems that the documents contained in Exhibit A are not confidential under Paragraph 3 of the Confidentiality Order. That paragraph requires that a document meet one of the following tests:

- (1) the document must contain information protected from disclosure by statute;
- (2) the document must contain sensitive personal information;
- (3) the document must contain a trade secret; or
- (4) the document must contain confidential research, development, or commercial information.

Order of 12/31/25, p. 2, ¶ 3). The documents in Exhibit A meet none of these tests.

The Parkers Defendants contend the documents contain “strategy and communications in navigating potential [civil] liability” and “confidential commercial information about the business strategy of responding to legal liabilities” related to the Parkers Defendants’ efforts to mitigate their civil liability in the *Beach v. Gregory M. Parker, Inc.*, No. 2019-CP-25-00111 (the “Boat Crash litigation”), and therefore the documents meet the fourth test under Paragraph 3 set

forth above. However, after reviewing the subject materials the Court finds these materials are not confidential commercial information as contemplated by Paragraph 3. *Cf. Rech v. Wal-Mart Stores E., L.P.* No. 8:19-cv-2514 (D.S.C. 2020), 2020 WL 3396723, at *2 (“Confidential commercial information has been defined as important proprietary information that provides the business entity with financial or competitive advantage when it is kept secret and results in competitive harm when it is released to the public.”).

The Parkers Defendants also contend “the materials generated belong to Mr. Parker and his attorneys” and a nondisclosure agreement among them deems all of this material to be “proprietary and confidential.” However, Paragraph 3 does not provide the Parkers Defendants may designate materials claimed to be “proprietary” as “confidential.” Rather, strictly construing the terms of the Confidentiality Order, the documents must meet one of the four (4) tests set forth in Paragraph 3. *See, e.g., DePuy Synthes Products, Inc. v. Veterinary Orthopedic Implants, Inc.*, 990 F.3d 1364, 1370 (2021) (parties seeking confidentiality must present a strong justification to overcome the presumption of public access; “where a protective order purports to address the confidentiality of information on the public docket, the presumption of public access applies - and [courts] have an independent duty to protect the public’s right of access - even when the parties agree to maintain confidentiality of publicly filed information pursuant to a protective order”).

Lastly, the Parkers Defendants claim that they have “legitimate concerns” that protected documents may be disseminated to third parties. The Parkers Defendants provided no proof that anyone has used confidential documents in any manner in violation of the December 31, 2025, Confidentiality Order. Even so, Plaintiffs completely complied with Paragraph 9 and then

Paragraph 7 (filing under seal) of the Order and withheld the documents from the Supreme Court filing pending a ruling by this Court. Furthermore, the Court deems the documents contained in Exhibit A are not confidential as defined by Paragraph 3.

For the reasons stated the documents contained in Exhibit A are deemed not confidential. Plaintiffs are permitted to use these documents accordingly, including filing them with the Supreme Court in the *Roman* matter.

IT IS SO ORDERED.

COURTESY OF
LUNASHARK MEDIA



Spartanburg Common Pleas

Case Caption: Renee S. Beach , plaintiff, et al VS Gregory M. Parker , defendant, et al
Case Number: 2026CP4204208
Type: Order/Other

It is so Ordered.

s/ R. Keith Kelly - 2165

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