

South Carolina Public Interest Foundation

Richland County

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: _____

Attorney for : Plaintiff Defendant or Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk:

This matter came before the Court pursuant to Defendants’ timely filed notice of motion and motion to alter or amend order and/or motion to reconsider, filed June 22, 2022. The Court decides this matter without oral argument pursuant to Rule 59(f), SCRPC.

After considering Defendants’ motion, the order filed June 10, 2022, the pleadings, and the arguments of counsel, the Court respectfully denies Defendants’ motion to reconsider. For this conclusion, the Court incorporates and restates the findings of fact and law in the June 10, 2022 order. As to the argument raised in Defendants’ motion to reconsider referencing opinions of the South Carolina Attorney General, the Court finds that they are not a basis to alter or amend the order as this Court is not interpreting County Council’s rules but rather looking to the plain-meaning of the text for County Council’s own stated intent. Additionally, this Court found that the case concerned the substantive common law duty of Council members to vote and ordered only that County Council follow their own rules as written and their common law duty to vote.

Therefore, the Court DENIES Defendants’ notice of motion and motion to alter or amend order and/or motion to reconsider.

IT IS SO ORDERED.

RECEIVED

Oct 19 2022

SC Court of Appeals

INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate “N/A” in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
		\$
		\$
		\$

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

Circuit Court Judge DeAndrea Gist Benjamin **Judge Code** 2161 **Date** _____

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20 _____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20 _____ to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court _____

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Richland Common Pleas

Case Caption: South Carolina Public Interest Foundation , plaintiff, et al vs Richland
County Council
Case Number: 2020CP4002839
Type: Order/Form 4

So Ordered

s/DeAndrea Gist Benjamin, #2161