

From: [Kitchings, Jenny](#)
To: [Staley, Denesha](#)
Subject: FW: Blue Ridge Environmental Defense League v SCDHEC
Date: Friday, February 23, 2024 11:00:37 AM
Attachments: [image001.png](#)

From: Stephanie Perez <sperez@scalc.net>
Sent: Wednesday, February 21, 2024 1:32 PM
To: Smith, Bennett W. <SmithBW@dhec.sc.gov>; Jesse Sanchez <jesse@jessesanchezlaw.com>
Cc: Beth Partlow <beth@partlowlaw.com>; Whitehead, Christopher <whitehCP@dhec.sc.gov>;
Martinez, Sara <martinsv@dhec.sc.gov>; Brooks M. Smith <brooks.smith@troutman.com>;
stephenspitz994@gmail.com; Kitchings, Jenny <jkitchings@sccourts.org>
Subject: RE: Blue Ridge Environmental Defense League v SCDHEC

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Great, thank you!

From: Smith, Bennett W. <SmithBW@dhec.sc.gov>
Sent: Wednesday, February 21, 2024 1:22 PM
To: Jesse Sanchez <jesse@jessesanchezlaw.com>; Stephanie Perez <sperez@scalc.net>
Cc: Beth Partlow <beth@partlowlaw.com>; Whitehead, Christopher <whitehCP@dhec.sc.gov>;
Martinez, Sara <martinsv@dhec.sc.gov>; Brooks M. Smith <brooks.smith@troutman.com>;
stephenspitz994@gmail.com; Kitchings, Jenny <jkitchings@sccourts.org>
Subject: RE: Blue Ridge Environmental Defense League v SCDHEC

Thanks, all.

DHEC will be available on Monday Feb. 26 at 11am.

Bennett W. Smith
Assistant General Counsel
S.C. Dept. of Health & Environmental Control
2600 Bull Street
Columbia, SC 29201
office: (803) 898-3570
connect: www.scdhec.gov



From: Jesse Sanchez <jesse@jessesanchezlaw.com>
Sent: Wednesday, February 21, 2024 1:20 PM
To: Stephanie Perez <sperez@scalc.net>
Cc: Beth Partlow <beth@partlowlaw.com>; Whitehead, Christopher <whitehCP@dhec.sc.gov>;

Martinez, Sara <martinsv@dhec.sc.gov>; Brooks M. Smith <brooks.smith@troutman.com>; Smith, Bennett W. <SmithBW@dhec.sc.gov>; stephenspitz994@gmail.com; Kitchings, Jenny <jkitchings@sccourts.org>

Subject: Re: Blue Ridge Environmental Defense League v SCDHEC

***** Caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. *****

We can use my dial-in conference number. Information is below:

Dial-in Number: (844) 875-2222

Access code: 1192749

Press the # sign after entering your access code

Thank you,

Jesse

On Wed, Feb 21, 2024 at 12:35 PM Jesse Sanchez <jesse@jessesanchezlaw.com> wrote:

That works for us. Thank you.

On Wed, Feb 21, 2024 at 12:34 PM Stephanie Perez <sperez@scalcn.net> wrote:

Okay thank you! Does 11am on Monday, February 26, work for everyone? If someone has a dial in number we could use, that would be great! If not, please provide me with your contact information and i will call everyone individually then join the calls.

Stephanie

From: Elizabeth B. Partlow <beth@partlowlaw.com>

Sent: Wednesday, February 21, 2024 12:31 PM

To: Stephanie Perez <sperez@scalcn.net>

Cc: Jesse Sanchez <jesse@jessesanchezlaw.com>; Whitehead, Christopher <whiteCP@dhec.sc.gov>; Martinez, Sara <martinsv@dhec.sc.gov>; Brooks M. Smith <brooks.smith@troutman.com>; SmithBW@dhec.sc.gov; stephenspitz994@gmail.com; Kitchings, Jenny <jkitchings@sccourts.org>; Jana E. Shealy <jshealy@scalcn.net>

Subject: Re: Blue Ridge Environmental Defense League v SCDHEC

Hello, Ms. Perez,

I can be available tomorrow morning, Friday morning, or Monday morning.

Regards,

Beth Partlow

Sent from my iPhone

LAW OFFICES OF ELIZABETH B. PARTLOW, LLC

1800 Platt Springs Road

West Columbia, South Carolina 29169

803.814.0868 (office)

803.237.5387 (cell)

On Feb 21, 2024, at 10:48 AM, Stephanie Perez <sperez@scalcn.net> wrote:

Let's just schedule a conference call to discuss these issues! We are available all day tomorrow, Friday morning (until 11am), next Monday until 2pm and next Tuesday morning. Please let me know what day/time works best!

Stephanie

From: Jesse Sanchez <jesse@jessesanchezlaw.com>
Sent: Wednesday, February 21, 2024 10:40 AM
To: Stephanie Perez <sperez@scalcn.net>; Whitehead, Christopher <whitehCP@dhec.sc.gov>; Martinez, Sara <martinsv@dhec.sc.gov>; Beth Partlow <beth@partlowlaw.com>; Brooks M. Smith <brooks.smith@troutman.com>; smithbw@dhec.sc.gov; stephenspitz994@gmail.com; Kitchings, Jenny <jkitchings@sccourts.org>; Jana E. Shealy <jshealy@scalcn.net>
Subject: Re: Blue Ridge Environmental Defense League v SCDHEC

Good morning, Ms. Perez,

Thank you for your email. Mr. Stephen Spitz and I represent Blue Ridge Environmental Defense League. On January 18, 2024, I called the Administrative Law Court and spoke with Ms. Shealy regarding the Order issued by the Court of Appeals, which remanded the matter to the ALC to address our Petition for Supersedeas. Mr. Spitz and I are appellate counsel and did not previously represent our client in the ALC. Ms. Shealy, copied herein, was very helpful and advised that the ALC could not move forward until they received the remittitur and order from the Court of Appeals. At least, that was my understanding from our conversation. Of course, if I am mistaken, I apologize in advance. We did not see a remittitur issued by the Court of Appeals and followed up with Ms. Kitchings on Friday, February 16th. Ms. Kitchings, copied herein, advised me that the Court of Appeals does not issue remittiturs for non-dispositional decisions, but that she would call the ALC about the Order. I followed up with Ms. Shealy that afternoon who had already spoken with Ms. Kitchings. Based on our conversation, I understood that the Court of Appeals would be transmitting the Order to the ALC. As a result, Mr. Spitz and I filed our Notice of Appearance on the next business day, Tuesday, February 20th.

I sincerely apologize if there was any miscommunication or misunderstanding on our end. If the Court would kindly advise if we need to take any additional steps to facilitate having this matter heard, we would greatly appreciate it. Additionally, we would be happy to submit additional briefs on the matter, in addition to what was already filed with the Court of Appeals, to assist the ALC in rendering a decision. Thank you for your time and consideration.

Respectfully,

Jesse Sanchez

On Wed, Feb 21, 2024 at 9:42 AM Stephanie Perez <sperez@scal.net>
wrote:

Good morning,

It was recently brought to the Court's attention that the above-referenced case was remanded to the ALC on a petition for writ of supersedeas. However, the Court has not received a copy of the Order from the Court of Appeals and has not received any communication from the parties regarding the petition for writ of supersedeas.

Sincerely,
Stephanie Perez
Law Clerk to Judge Ralph King Anderson, III
S.C. Administrative Law Court
803-734-0550

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PLEASE NOTE WE HAVE A NEW ADDRESS:

Jesse Sanchez
The Law Office of Jesse Sanchez, LLC
751 Johnnie Dodds Blvd., Suite 200
Mount Pleasant, SC 29464
Direct: (843) 814-8181
Fax: (843) 284-3953
jesse@jessesanchezlaw.com

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