

STATE OF SOUTH CAROLINA)
)
 COUNTY OF DORCHESTER)
)
 CALVIN HENSON, DANIEL JAMES)
 COLLINS, JASON ROBINSON,)
 RUSSELL TAYLOR and ALL THOSE)
 SIMILARLY SITUATED,)
)
 Plaintiffs,)
)
 v.)
)
 SOUTH CAROLINA DEPARTMENT)
 OF CORRECTIONS and the SOUTH)
 CAROLINA DEPARTMENT OF)
 JUVENILE JUSTICE)
)
 Defendants.)
 _____)

IN THE COURT OF COMMON PLEAS

Case No.: 2017-CP-18-1125

**AMENDED ORDER GRANTING
 PLAINTIFFS’ MOTION
 TO CERTIFY**

This matter is before the Court on the Defendants’ Motion to Alter or Amend Order and/or Motion to Reconsider filed June 3, 2024. The subject of the motion is this Court’s Order Granting Plaintiffs’ Motion to Certify filed May 22, 2024. Plaintiffs Calvin Henson, Daniel James Collins, Jason Robinson, and Russell Taylor, moved to certify a class pursuant to Rule 23(a) of the South Carolina Rule of Civil Procedure and Motions of Defendants South Carolina Department of Corrections (“SCDC”) and South Carolina Department of Juvenile Justice (“SCDJJ”) to Sever and/or Bifurcate. A hearing on this matter was held January 12, 2024. Prior to the hearing, Plaintiffs filed their Memorandum in Support of Class Certification and Defendants filed their Memorandum in Support of the Motion to Sever and/or Bifurcate. Defendants filed their Memorandum in Opposition to Class Certification after the hearing on January 29, 2024, and Plaintiffs filed a Reply Memorandum in Support of Class Certification on February 10, 2024. After careful consideration and as set forth herein, Plaintiffs’ Motion remains **GRANTED** and Defendants Motions are **GRANTED IN PART** and **DENIED IN PART** as amended herein.

The Court will first address the Defendants Motions to Sever and/or Bifurcate, then address the Motion for Class Certification against both SCDC and SCDJJ individually.

DEFENDANTS MOTION TO SEVER AND/OR BIFURCATE

The Defendants previously filed the same motions and were denied by the court in an order issued January 28, 2019. Following the completion of combined discovery, the Defendants refiled their motions to sever and/or bifurcate the Plaintiffs claims misjoinder under Rule 20, SCRCPP and Rule 21, SCRCPP.

Misjoinder under Rule 20, SCRCPP

Defendants argued misjoinder of the Plaintiffs under Rule 20, SCRCPP because each of the Plaintiffs claims will allegedly require individualized findings and any award of damages will need to be determined individually. Defendants' entire argument ignores the role that Rule 23, SCRCPP plays in civil actions such as this one. Rule 23, SCRCPP "does not demand that all questions of law and fact be common, only that there be common issues among the class. In fact, a single common issue will suffice if it is important enough." *McGann v. Mungo*, 287 S.C. 561, 566, 340 S.E.2d 54, 158 (Ct. App. 1986). Defendants' argument that these are separate actions requiring separate proof fails to recognize "the very purpose of a class action is to avoid the necessity of requiring each member of the class to prove the elements of the cause of action." *O'Quinn v. Beach Associates*, 272 S.C. 95, 104, 249 S.E.2d 734, 738 (1978).

Plaintiffs have alleged on behalf of a putative class that there are common issues of fact and law arising out of the common fact that they were each sexually assaulted while in the custody of Defendants. In addition, they also allege on their behalf, and on behalf of others who have been sexually assaulted while in the Defendants custody, that these sexual assaults are the product of "the Defendants' failure to implement and enforce their own policies and practices." Defendant's

motion seeks to accomplish the very thing class actions are designed to do: eliminate the need to re-litigate the common issues in a large number of individual cases. “Put simply, it is less expensive and time consuming to process one class action than many individual actions.” Newberg on Class Actions, §1.9 (5th Ed. 2011) at 27. Plaintiffs have carried their burden of showing that this case should be certified as a class action and because of this, the Defendants motion to sever Plaintiffs claims because of misjoinder under Rule 20, SCRCP is denied.

Severance of Defendants under Rule 21, SCRCP

Defendants argued that the claims against the Defendants should be severed pursuant to SCRCP 21.¹ In their complaint, Plaintiffs advance claims against SCDC and SCDJJ through four different Plaintiffs, three Plaintiffs with allegations against SCDC and one Plaintiff with allegations against SCDJJ. No Plaintiff made allegations against both Defendants in the Amended Complaint. Because no Plaintiff has claims against both Defendants, this Court will grant the Defendants request to sever the Defendants for purposes of class certification and trial. For purposes of case management, the parties will continue to utilize the current case number for the time being. The undersigned has very little exposure to this case and lacks knowledge of the intricacies of this case or the breadth and scope of discovery. The undersigned will not be assigned this case for administrative purposes or trial. Questions with regard to the conduct of discovery and manner of trial will more appropriately addressed by the assigned judge who will be in a better position to fully evaluate the positions and needs of the parties. Likewise, mechanisms for notification and “opt-out” would be more appropriately addressed by the assigned judge.

¹ The Defendants additionally argued that the Plaintiffs individual claims should be severed against the Defendants under SCRCP 21. As previously discussed, Plaintiffs’ claims have been brought under SCRCP 23 and have been certified as a class action against each Defendant separately. The Court denies Defendants request to sever the individual Plaintiffs’ case.

PLAINTIFFS MOTIONS FOR CLASS CERTIFICATION

Considering the Court's order severing the claims against two Defendants in this case for class certification and trial, the Court will treat the Plaintiffs' motion for class certification as a Motion for Class Certification by Calvin Henson, Daniel James Collins, Jason Robinson against SCDC and a Motion for Class Certification by Russell Taylor against SCDJJ. The Court will now address the elements of class certification for both Defendants.

STANDARD

"Proponents of class certification bear the burden of proving five prerequisites under South Carolina law." *See Waller v. Seabrook Island Property Owners Assn.*, 300 S.C. 465, 388 S.E.2d 799 (1990); Rule 23(a), SCRCP. The prerequisites are:

1. the class must be "so numerous that joinder of all members is impracticable;"
2. there must be "questions of law or fact common to the class;"
3. the "claims or defenses of the representative parties [must be] typical of the claims or defenses of the class;"
4. "the representative parties [must] fairly and adequately protect the interests of the class;" and
5. "the amount in controversy [must] exceed one hundred dollars for each member of the class."

Rule 23(a), SCRCP.

The South Carolina Supreme Court "has expressed the viewpoint that class actions are favored in this state[.]" *Grazia v. South Carolina State Plastering, LLC*, 390 S.C. 562, 576, 703 S.E.2d 197, 204 (2010).

Our state class action rule differs significantly from its federal counterpart. The drafters of Rule 23, South Carolina Rules of Civil Procedure (SCRCP) intentionally omitted from our state rule the additional requirements found in Federal Rule 23(8), Federal Rules of Civil Procedure (FRCP). By omitting the additional requirements,

Rule 23, SCRCP, endorses a more expansive view of class action availability than its federal counterpart.

Id. (quoting *Littlefield v. South Carolina Forestry Comm'n*, 337 S.C. 348, 354-55, 523 S.E.2d 781, 784 (1999)). “[T]he class action device saves the resources of both the courts and the parties by permitting an issue potentially affecting every [class member] to be litigated in an economical fashion under Rule 23.” *Id.* (citation omitted).

ANALYSIS

The Amended Complaint filed in this case proposes an injunctive class and a damages class with the following definition of the class seeking certification by the Court:

All individuals that have been under the custody and care of the South Carolina Department of Corrections (“SCDC”) or the South Carolina Department of Juvenile Justice (“SCDJJ”) in South Carolina from 2012 until present who were victims of rape and/or sexual assault.

Amended Complaint, ¶ 70 (Feb. 15, 2023). In determining whether the class may be certified the Court will consider each of the five requirements listed in Rule 23(a), SCRCP.

1. Numerosity

Plaintiffs indicate in their Memorandum in Support of Class Certification that the putative plaintiff class may range from 1,600 to 64,000 inmates for SCDC and 70 to 2,800 residents for SCDJJ. In its Opposition, Defendants do not challenge the potential number of class members asserted, instead arguing that Plaintiffs have failed to identify any additional plaintiffs other than those listed in the caption. On Reply, Plaintiffs provided SCDC’s own statistics regarding self-reported data on sexual assaults between 2012-2022 which establishes SCDC reported 659 non-consensual sexual acts (42 substantiated), 161 reported abusive sexual contacts (10 substantiated), 590 acts of staff sexual misconduct (65 substantiated). SCDJJ reported 255 abusive sexual contacts (54 were substantiated), 34 sexual harassments (7 substantiated), and 69 sexual misconducts

through 2018 (6 substantiated). This Court notes that both the SCDC and SCDJJ reported sexual assaults may be under reported based on information from the reports from the South Carolina General Assembly Legislative Audit Council and the Department of Justice. Joinder of all members of a SCDC class or SCDJJ class this size would clearly be impracticable.

Defendants argue that Plaintiffs have failed to identify other putative plaintiffs since the filing of this case and that failure is evidence that class treatment is not necessary. Defendants also argue that since not all incarcerated individuals would be putative class members and not all inmates would have claims, then class certification is not appropriate. “[I]t is well settled that a plaintiff need not allege the exact number or specific identity of proposed class members.” 1 Newberg and Rubenstein on Class Actions § 3:13 (6th ed.). “How many (if any) of the class members have a valid claim is the issue to be determined *after* the class is certified.” *Arnold Chapman & Paldo Sign & Display Co. v. Wagener Equities Inc.*, 747 F.3d 489, 492 (7th Cir. 2014) (quoting *Parko v. Shell Oil Co.*, 739 F.3d 1083, 1085 (7th Cir. 2014)). The Defendants arguments fail to counter the evidence they compiled while self-reporting non-consensual sexual acts over a 10-year period starting in 2012. The court finds these statistics appear to be the minimum of potential putative class members and that the numerosity requirement of Rule 23(a)(1), SCRCF is satisfied.

2. Common Questions of Law or Fact

Rule 23(a)(2), SCRCF, requires that there be common questions of law or fact for the class. This “commonality” requirement looks at “the capacity of a class wide proceeding to generate common answers apt to drive the resolution of the litigation.” *Wal-Mart Stores, Inc. v. Dukes*, 564 U.S. 338,350, 131 S.Ct. 2541, 2551, 180 L. Ed. 2d 374 (2011). “This requirement is not onerous.” *Matthews v. Buel, Inc.*, No. CA 7:11-162-TMC, 2012 WL 1825273, at *2 (D.S.C. May 18, 2012).

Not all questions in a case need to be common; rather, the presence of one appropriate common question is sufficient. *Ealy v. Pinkerton Gov't Servs.*, 514 Fed. Appx. 299, 304 (4th Cir. 2013); *see also Gray v. Hearst Communications, Inc.*, 444 Fed. Appx. 698, 702 (4th Cir. 2011) (“determination of whether [defendant] breached its standard distribution obligation will resolve in one stroke an issue that is central to the validity of the class members’ breach of contract claims”). The Rule does not demand all questions of law and fact to be common, only that common issues exist among the class. In fact, a single common issue will suffice if it is important enough. *McGann*, 287 S.C. at 568, 340 S.E.2d 54 at 157-58.

Plaintiffs put forth a substantial list of common questions of law and fact that, they argue, overwhelm any distinctions that could theoretically exist between class members. These include:

- The federal PREA standards for both prisons/jails and juvenile facilities are substantially similar, have been adopted by both Defendants as state standards (“SCDC/SCDJJ standards”) and are applicable to both Defendants.
- All federal PREA standards adopted by both Defendants are applicable to each facility that housed putative class members, the individual facilities did not have different standards.
- Defendant’s individual facilities are not permitted to deviate from the SCDC/SCDJJ standards.
- Did Defendants fail to enforce their policies and procedures which would have prevented the sexual assaults suffered by the Plaintiffs?
- Did Defendants breach their duty of care to Plaintiffs?
- Whether Defendants actions in failing to implement policies were reckless, willful and wanton, and grossly negligent?
- Whether the Defendants failure to classify inmates properly, failure to monitor inmates, allowing gross overcrowding, and failure to provide appropriate employees and staff at the various location of Defendants’ facilities would have prevented the sexual assaults suffered by Plaintiffs?
- Whether Defendants actions were the proximate cause of Plaintiffs physical and emotional injuries, incurred medical expenses, permanent scarring, and permanent impairment and disability?
- Did Defendants fail to fully implement and enforce standards and requirements set forth in their policies and procedures?

- Did Defendants knowingly and intentionally fail to implement and enforce its own policies and practices including:
 - Fail to classify inmates and residents properly?
 - Fail to monitor inmates and residents?
 - Allow gross overcrowding at facilities?
 - Fail to provide appropriate employees and staff at the Defendants' facilities?
 - Fail to implement prescribed security measures?
- Did Defendants' failure to implement and enforce their policies and practices resulted in unsafe conditions for the inmates/residents?
- Were the unsafe conditions for the inmates and residents result in the foreseeable sexual assaults of the putative class members while under the custody and care of the Defendants?

Regardless of the individual circumstances of their sexual assaults, Plaintiffs allege that all inmates find themselves in the same situation where the Defendants affirmatively adopted agency standards to protect the inmates based on the Federal PREA standards, yet Defendants failed to enforce those state standards in their facilities and the class representatives were sexually assaulted while in Defendants custody and care. The Court agrees with the Plaintiffs argument at the class certification stage of the litigation.

Defendants' main argument against class certification in this case is that the claims are based on unique and individualized facts. The one case cited by the Defendants to support their theory that individual facts defeat class certification, *Gardner v. S.C. Dep't of Revenue*, 353 S.C. 1, 577 S.E.2d 190 (2003), neither supports their argument nor supports their conclusion. In *Gardner*, the South Carolina Supreme Court found that a finding of liability against the defendant required an individual determination of prejudice by the court regarding the notice sent by the defendants before they could seize plaintiff's income tax refunds for delinquent debts owed to state agencies. *Id.* at 14-15. Since a finding on liability required this individual determination, the Supreme Court found the class was not certifiable. *Id.* at 22.

The Court finds that in this case every proposed class member has a similar legal theory against the Defendants and that Defendants actions impacted every proposed class member in a similar manner. *Mullen v. Treasure Chest Casino, LLC*, 186 F.3d 620, 625 (5th Cir. 1999). Additionally, Defendants do not refute the Affidavit of James Aiken submitted in support of the class certification. Mr. Aiken testified that Defendants' failure to implement these standards directly contributed to the sexual assaults each putative class representative suffered while they were in the custody of the Defendants. Given the common legal theories shared by the putative class members and the finding of a foreseeable injury of the putative class members due to the actions of the Defendant, the Court finds the class satisfies the requirement of common questions of law or fact. *See Temp. Servs., Inc. v. Am. Int'l Grp., Inc.*, No. 3:08-CV-00271-JFA, 2012 WL 13008138, at *2 (D.S.C. July 31, 2012) ("Rule 23(a)(2)'s commonality requirement is met where the defendant engaged in a common course of conduct.")

3. Typicality of Claims or Defenses

The idea of typicality runs closely with the idea of commonality. As the Eastern District Court in Virginia has stated, "[t]he Rule 23(a) requirements of commonality and typicality tend to merge analytically." *In Re Mills Corp. Securities Litigation*, 257 F.R.D. 101, *105 (E.D.Va. 2009). In general, commonality requires that there be "questions of law or fact common to the class," and typicality requires that "the claims or defenses of representative parties are typical of the claims or defenses of the class." *Id.* (citing *In Re BearingPoint, Inc. Sec. Litig.*, 232 F.R.D. 524, 538 (E.D.Va. 2006) (citing *General Tel. Co. of Southwest v. Falcon*, 457 U.S. 147, 102. S.Ct. 2364, 72 L.Ed.2d 740 (1982))).

"A claim is typical if it arises from the same course of conduct that gives rise to the claims of the class members and if the claims are based on the same legal theories." *Central Wesleyan*

Cent. Wesleyan Coll. v. W.R. Grace & Co., 143 F.R.D. 628, 637 (D.S.C. 1992), *aff'd*, 6 F.3d 177 (4th Cir. 1993). This test does not require that the representatives have identical claims which other class members might present. “The question of typicality [instead] focuses on the similarity of the legal and remedial theories of claims of the named and unnamed plaintiffs.” *Bates v. Tenco Services, Inc.*, 132 F.R.D. 160, 163 (D.S.C. 1990); *see also* Flanagan, *South Carolina Civil Procedure* (2d Ed. 1996) at 180 (“the use of the word ‘typical’ suggests that the claims or defenses do not need to be co-extensive, but rather similar to, or shared by most members of the class”). Moreover, “[t]ypicality is generally presumed when common questions exist.” Newberg, *Newberg on Class Actions* at 164 (2d. Ed. 1985). To satisfy the “typicality” requirement, the named plaintiffs claims must be similar enough to those of the class to assure that the class’s interests are vigorously prosecuted. 7A Charles Alan Wright & Arthur R. Miller, *Federal Practice & Procedure*, § 1764 (2d ed. 1986).

The proposed class members’ claims arise as current or former inmates of the Defendants who were sexually assaulted while in the custody and control of the Defendants and suffered injuries from those sexual assaults. There are no conflicts between the Plaintiffs, each Plaintiff’s claim arises from the same standard of care and the breach of that standard of care by the Defendants.

In opposition to certification, Defendants argue that the class cannot satisfy the typicality requirement because of unique defenses applicable to certain putative class members and not others. “To defeat class certification, a defendant must show some degree of likelihood a unique defense will play a significant role at trial. If a court determines an asserted unique defense has no merit, the defense will not preclude class certification.” *Beck v. Maximus, Inc.*, 457 F.3d 291, 300 (3d Cir. 2006) (citing *Hardy v. City Optical Inc.*, 39 F.3d 765, 770 (7th Cir.1994)); *see* 1 Newberg

and Rubenstein on Class Actions § 3:45 (6th ed.). There are certainly cases that clearly articulate unique defenses that may preclude certification, but Defendants have not asserted any unique defense to this court or presented any cases in support of their position. Therefore, the court finds the arguments of the Defendants with regard to typicality do not preclude certification since all claims of the named Plaintiffs are typical of those of the putative class.

4. Adequacy of Representation

Rule 23(a)(4), SCRCP, requires that the representative parties “fairly and adequately protect the interests of the class.” This standard has been described as whether counsel is “qualified, experienced and generally able to conduct the proposed litigation.” *South Carolina National Bank v. Stone*, 139 F.R.D. 325, 329 (D.S.C. 1991).

Encompassed in this rule is the requirement that class counsel’s interests are not in conflict with the interests of members of the class. *Waller*, 300 S.C. at 468, 388 S.E.2d at 801. Defendants contend that not every adult or juvenile inmate will have the same claims, damages, nor will the same defenses be applicable. The Court finds the Defendants have provided “no evidence of adequacy-defeating conflicts of interest, such as differences in the type of relief sought, a theory of law or fact that benefits some class members, but harms others, or a scenario where some class members benefit from the Defendant’s conduct.” *Marcoux v. Szwed*, No. 2:15-CV-093-NT, 2016 WL 5720713, at *3 (D.Me. Oct. 3, 2016); *Menking ex rel. Menking v. Daines*, 287 F.R.D. 174, 180 (S.D.N.Y. 2012); see *Sharp Farms v. Speaks*, 917 F.3d 276, 297 (4th Cir. 2019) (finding a conflict of interest where class representatives were pursuing claims from a common cooperative reserve fund based on a different legal theory from certain class members.)

Defendants do not argue that the named Plaintiffs cannot adequately represent the putative class members in this case. Their arguments center around the claim that the remedies sought are

disparate, individualized, available to individuals without the need of a class, and not every inmate will have the same claims, damages, or the same defenses. Those arguments do not address the adequacy of named plaintiffs to represent the interests of the putative class members under Rule 23(a)(4), SCRCF. The existence of, or differences in, the amount of damages that each class member may recover is not to be considered in determining class certification. *McGann*, 287 S.C. at 569, 340 S.E.2d at 158 (“The mere fact that the plaintiffs may be entitled to different amounts of damages does not prevent them from banding together and asserting their rights jointly in one action.”); *Gunnells v. Healthplan Servs., Inc.*, 348 F.3d 417 (4th Cir. 2003) (affirming the certification of a class of 1400 consumers in the State of South Carolina even with differences in individual damages within the class). This Court finds that the Defendants have provided no arguments why the Plaintiffs cannot adequately represent the interests of the putative classes.

The named Plaintiffs in this case were inmates under the custody and control of the Defendant, just like the other putative class members. Each Defendant created policies and procedures to protect the putative class members from being sexually assaulted while inmates in the Defendant’s facilities. Like the named Plaintiffs, the other putative class members suffered sexual assaults. The Court finds the named Plaintiffs’ fairly and adequately protect the interest of the class since they all alleged they suffered sexual assaults from the failure of the Defendant to implement and enforce their policies and procedures.

The class representatives do not have conflicts with absent class members or with each other. In deciding if the named Class Representatives will adequately represent the interests of the class the court must consider whether the plaintiff “has common interests with the unnamed members of the class” and will “vigorously prosecute the interests of the class.” *See Runion v. U.S. Shelter*, 98 F.R.D. 313, 317 (D.S.C. 1983); *Waller*, 300 S.C. at 468, 388 S.E.2d at 801 (citing

Runion as a decision which “sets forth all criteria to be considered in determining whether a named plaintiff will adequately represent a proposed class.”). The Court finds the plaintiffs have demonstrated fidelity to the class and have prosecuted this case since inception. The class representatives do not have conflicts with absent class members or with each other. The named Plaintiffs interests are aligned with the members of the class they seek to represent, and this Court finds they are adequate representatives of the class.

Defendants have chosen not to challenge the adequacy of class counsel. Plaintiffs’ counsel submitted an affidavit as to their adequacy to prosecute this case on behalf of all class members. There is a wealth of legal experience from lawyers in South Carolina, including significant class action experience. The court is satisfied that counsel for the class is adequate and appropriately experienced with this type of litigation to prosecute this civil action on behalf of the entire class.

Accordingly, the Court finds that Plaintiffs have satisfied the adequacy requirement of Rule 23(a)(4), SCRPC.

5. *Amount in Controversy*

Plaintiffs’ monetary damages for the injuries suffered for being sexually assault while in the Defendants custody and control. The potential damages for each of these sexual assaults exceed the \$100 in controversy amount for members of the class. Defendants also have not challenged that members of the class will have claims in excess of \$100. Additionally, the request for declaratory and injunctive relief do not require an amount in controversy. Therefore, the Court finds the Plaintiffs satisfy the amount in controversy requirement of Rule 23(a)(5) for both classes.

6. *Altering the Class Definition by the Court*

The Court has discretion in ruling on a motion to certify a class. *Waller*, 300 S.C. at 468, 388 S.E.2d at 801. This discretion extends to defining the scope of the class. *Shapiro v. Midwest*

Rubber Reclaiming Co., 626 F.2d 63, 71 (8th Cir. 1980). The “court is not bound by the class definition proposed in the complaint,” *Robidoux v. Celani*, 987 F.2d 931, 937 (2d Cir. 1993), and “are permitted to limit or modify class definitions to provide the necessary precision.” *In re Monumental Life Ins. Co.*, 365 F.3d 408, 414 (5th Cir. 2004). In this case, upon the severing of the cases against the Defendants, the court will modify the proposed class definition to fit the procedural posture of the current case. The court will adopt the following class definition for claims against SCDC:

All individuals that have been under the custody and care of the South Carolina Department of Corrections (“SCDC”) in South Carolina from 2012 until present who were victims of a nonconsensual sexual battery.

The court will adopt the following class definition for claims against SCDJJ:

All individuals that have been under the custody and care of the South Carolina Department of Juvenile Justice (“SCDJJ”) in South Carolina from 2012 until present who were victims of a nonconsensual sexual battery.

Nonconsensual sexual battery² is defined as follows:

Sexual battery means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any intrusion, however slight, of any part of a person’s body or of any object into the genital or anal openings another person’s body, except when such intrusion is accomplished medically recognized treatment or diagnostic purposes.

CONCLUSION

Having considered the requirements Defendants motion to sever and/or bifurcate and Plaintiffs motion for class certification under Rule 23(a), SCRCP the Court orders that Defendants motion to sever and/or bifurcate is **granted in part** and **denied in part** and Plaintiffs’ Motion to Certify Class is **granted**.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

1. Claims against the Defendants will be severed for class certification and trial;

² See, S.C. Code Ann. § 16-3-651 (h) (2015).

2. The action is certified as a class action pursuant to Rule 23, SCRCF, on behalf of the Classes as defined herein;
3. Calvin Henson, Daniel James Collins, Jason Robinson, are appointed Class Representatives for the SCDC classes;
4. Plaintiffs' counsel are appointed class counsel for the SCDC Classes;
5. Russell Taylor is appointed Class Representatives for the SCDJJ classes; and
6. Plaintiffs' counsel are appointed class counsel for the SCDJJ Classes.

AND IT IS SO ORDERED!



Dorchester Common Pleas

Case Caption: Daniel James Collins , plaintiff, et al VS Department Of Corrections
South Carolina , defendant, et al
Case Number: 2017CP1801125
Type: Order/Other

IT IS SO ORDERED.

Heath P. Taylor