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May 07 2025

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

IN THE ORIGINAL JURISDICTION OF THE SUPREME COURT

Yamilette Albertson, on her own behalf and on behalf of her children, Y., A., and J.; and
Constantine Shulikov, on his own behalf and on behalf of his children, A., E., P., N., and V.
..... Petitioners,

v.

Ellen Weaver, in her official capacity as State Superintendent of Education,Respondent.

**AFFIDAVIT OF DAVID HODGES IN SUPPORT OF PETITIONERS’
SUPPLEMENTAL BRIEF**

I, David Hodges, submit the following testimony under oath:

1. I am a citizen of the United States over eighteen years of age. I am of sound mind and fully competent to make this affidavit, which I make knowingly and based on my personal knowledge.
2. I am an attorney at the Institute for Justice, and I represent the Petitioners Yamilette Albertson and Constantine Shulikov in this matter.
3. I submit this affidavit in support of Petitioners’ Supplemental Brief.
4. Attached as Exhibit A to this affidavit is a true and correct copy of a webpage that I accessed on May 7, 2025 from the website of the South Carolina Legislature, at the uniform resource locator https://www.scstatehouse.gov/sess126_2025-2026/bills/62.htm. I did not alter or amend the webpage in any way.
5. Exhibit A contains S.62, which was ratified by the Legislature on May 6 and signed into law by Governor Henry McMaster on May 7. See Ex. A at 2. The bill amends the Education

Scholarship Trust Fund Program in several ways, including revising its trust provisions, *see* S.62, § 3, and authorizing use of lottery proceeds to fund the program, *see* S.62, § 14.

6. This testimony is true and correct to the best of my knowledge.

FURTHER AFFIANT SAYETH NOT.

David Hodges

David Hodges

SWORN to and subscribed before me this 7th day of May, 2025.

Allisia S Wild

Notary Public in and for the State of Minnesota.

My commission expires 01/31/2027.



ALLISIA S WILD
Commission No. 1275406300030
Notary Public
State of Minnesota
My Commission Expires 01/31/2027

Notarized remotely online using communication technology via Proof.