



WHEN IT'S WORTH FIGHTING FOR

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SERVING S.C. AND N.C.

September 13, 2016

The Honorable Jenny Abbott Kitchings  
Clerk of SC Court of Appeals  
PO Box 11629  
Columbia, SC 29211

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SEP 16 2016

SC Court of Appeals

Re: *South Carolina Public Interest Foundation et al. vs. Courson, et al*  
Appellate Case Number 2014-01412

Dear Ms. Kitchings:

I write pursuant to SCACR 208 (b)(7) to bring to the Court's attention a recent "pertinent and significant authorit[y]." The South Carolina Supreme Court entered an Order August 25, 2016, awarding my clients attorneys' fees under S.C. Code Ann. § 15-77-300 from members of the General Assembly (enclosed). This authority addresses the main issue in the case at bar.

This authority supports the argument of the Appellants' Brief, p. 12 that the Supreme Court has previously awarded costs and attorneys' fees to Mr. Sloan from the House and the Senate. Second it supports the argument on Reply Brief, p. 8 that the Respondents failed to address this argument in the Respondents' Brief. Third, it refutes the Respondents' argument asserting Legislative Immunity in Respondents' Brief, pp. 8-9. Fourth, it refutes Respondents' argument that S.C. Code Ann. § 15-77-300 does not apply to members of the General Assembly, in Respondents' Brief, pp. 10-13.

Respectfully submitted,

THE CARPENTER LAW FIRM, PC

James G. Carpenter

CC: J. Emery Smith, Jr.

Edward H. Bender

Kenneth M. Moffett

⑤

# The Supreme Court of South Carolina

South Carolina Public Interest Foundation and Edward D. Sloan, Jr., individually, and on behalf of all others similarly situated, Petitioners,

v.

James H. "Jay" Lucas, as Speaker of the S.C. House of Representatives, Henry D. McMaster, as President of the S.C. Senate, and The State of South Carolina, Respondents.

Hugh K. Leatherman, Sr., in his capacity as President Pro Tempore of the South Carolina Senate, Intervenor.

Appellate Case No. 2015-001443

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SC Court of Appeals

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## ORDER

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After careful consideration of the petitioners' request for attorneys' fees and costs, we award \$5,000.00 in attorneys' fees.

IT IS SO ORDERED.



C.J.

FOR THE COURT

Columbia, South Carolina

August 25, 2016

cc:

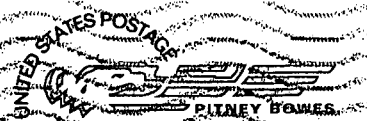
James G. Carpenter, Esquire  
Alan McCrory Wilson, Esquire  
Kenneth M. Moffitt, Esquire  
J. Emory Smith, Jr., Esquire  
Michael J. Anzelmo, Esquire  
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Ms. Jenny Kitchens, Clerk  
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