

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

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

Plaintiffs,

v.

South Carolina Department of Transportation
and Robert J. St. Onge, Jr., Secretary of
Transportation,

Defendants.

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

Civil Action No. 2013-CP-40-03908

ORDER OF DISMISSAL

RECEIVED

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SC Court of Appeals

This matter comes before the Court upon request of all parties that this action be formally dismissed. Pursuant to this request, the Court finds that this action is DISMISSED AS MOOT.

This action was initiated on July 5, 2013 by the filing of a Complaint for Declaratory Judgment and Injunctive Relief. In the Complaint, Plaintiffs seek production of certain documents and other relief pursuant to the Freedom of Information Act ("FOIA"), including an award of attorneys' fees. It appears from the record that on June 24, 2013, just prior to commencing this action, Plaintiffs also filed a similar action – *South Carolina Public Interest Foundation v. South Carolina Department of Transportation*, Civil Action Number 2013-CP-40-03677 ("the First Action") – in which they sought similar relief.

In the First Action, Plaintiffs filed a motion to compel Defendants to produce the information requested. Plaintiffs prevailed on their motion, and the documents were produced, rendering the FOIA demands in this case moot. At that point, the only remaining issue in this action was Plaintiffs' Motion for Attorneys' Fees and Costs, which was filed on January 20, 2015.

When that motion was denied by Order signed on June 15, 2015, and filed on July 15, 2015, all outstanding issues in this action were resolved, and this case should have been dismissed.

IT IS, THEREFORE, ORDERED that the Plaintiffs' remaining claims in this action are DISMISSED AS MOOT, ending this case.

AND IT IS SO ORDERED.

Jocelyn Newman
Circuit Court Judge

May 22, 2019
Columbia, South Carolina.



Richland Common Pleas

Case Caption: South Carolina Public Interest Foundation , plaintiff, et al vs South Carolina Department Of Transportation , defendant, et al
Case Number: 2013CP4003908
Type: Order/Dismissal

So Ordered

Jocelyn Newman, Chief Judge for Administrative Purposes, Court of Common Pleas, 5th Judicial Circuit