

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

South Carolina Public Interest Foundation
and John Crangle, individually and on
behalf of all others similarly situated,

Civil Action No. 2020-CP-40-04603

Plaintiff,

**EX PARTE
TEMPORARY RESTRAINING ORDER**

v.

Alan Wilson, Attorney General for the State
of South Carolina Willoughby & Hoefler,
P.A., and Davidson, Wren & DeMasters,
P.A.,

Defendant.

This matter comes before the Court on Plaintiffs' Motion for a Temporary Restraining Order prohibiting the law firm Defendants Willoughby & Hoefler, P.A., and Davidson, Wren & DeMasters, P.A., from transferring, spending, pledging or otherwise encumbering the proceeds of a \$75 Million wire transfer received from the State of South Carolina on September 29, 2020. The transfer was completed prior to a hearing before Judge McCaslin¹ to consider Plaintiffs' motion for a temporary and/or preliminary order enjoining the Defendant Wilson from paying the law firms.

Plaintiffs have now amended their Complaint to add the law firm defendants, thus bringing the current recipients of these disputed proceeds before this Court. Plaintiffs seek an *ex parte* temporary restraining order preventing Defendants from any disbursement of the funds prior to a hearing on their Motion for Preliminary Injunction. The purpose of a preliminary injunction is to

¹ The hearing was scheduled in consultation with counsel for Plaintiffs and Defendant Wilson before Judge McCaslin.

preserve the status quo and prevent irreparable harm to the party requesting it. *Powell v. Immanuel Baptist Church*, 261 S.C. 219, 221, 199 S.E.2d 60, 61 (1973).

Thus, to prevent transferring, spending, pledging or otherwise encumbering the proceeds of the \$75 Million wire transfer received from the State of South Carolina and to prevent irreparable harm to the Plaintiffs, the Court hereby grants Plaintiffs' motion for an *ex parte* temporary restraining order.

IT IS THEREFORE ORDERED, Defendants Willoughby & Hofer, P.A., and Davidson, Wren & DeMasters, P.A., members of their respective firms and anyone acting in concert with these Defendants, are hereby enjoined from transferring, spending, pledging or otherwise encumbering the proceeds of the \$75 Million wire transfer received from the State of South Carolina on September 29, 2020.

IT IS FURTHER ORDERED that the Defendants Willoughby & Hofer, P.A., and Davidson, Wren & DeMasters, P.A., shall appear before this Court on **October 7th, 2020 at 9:30am, via Webex Events – Hon. Alison Renee Lee Virtual Courtroom**, to show cause why Plaintiffs' motion for a preliminary injunction should not be granted. Defendant Law Firms should be served no later than 12pm noon, Friday, October 2, 2020.

AND IT SO ORDERED.

[Electronic Signature to Follow]



Richland Common Pleas

Case Caption: South Carolina Public Interest Foundation , plaintiff, et al vs Alan Wilson , defendant, et al
Case Number: 2020CP4004603
Type: Order/Temporary Injunction

IT IS SO ORDERED!

s/ Alison Renee Lee