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**Date:** 7/18/2013 9:08:07 AM  
**Subject:** Fwd: foia article in packet

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It seems its Just a matter of time before the lawyers and this abusive Chamber and its leadership will be forced to turn over all records and be transparent ,not just because its the right thing to do as a public or private company receiving our tax monies , but also because they are supported by members who in essence are owners like shareholders who certainly have rights to see financials of their company . The Chamber is now spending thousands in legal fees compounding the abuse. It will be interesting to see who and how much they are spending trying to be non transparent and hide information . The other extremely interesting part to this is how much monies are being made from selling ads as a nonprofit and how much they will owe IRS for 100% violations to non profit 501-c6 tax codes as written by the United States of America.

We all must question the actions of not just Bill Miles our employee of the Chamber , but the entire Ex Board and the present and past Chairmans David Tigges and Tom Upshaw as well as a few others preceding them on allowing all this to happen and worse allowing it to continue after being educated . It will be clear soon after an extensive audit and full understanding of all. Good news is the abuse it seems will be exposed for all to see soon and i do not see the courts ruling against this or how they could possibly justify doing so.

My interest is still more than this and focused on the multiple abuses that have been identified and allowed to happen by Bill Miles and Susan Thomas  
With absolutely no controls over them by our executive boards who gave them unlimited control. Of course we all know these boards happen by appointment not democratic elections . Who appointed them ?????

This will become clear as this lawsuit , other lawsuits are filed and all this Foia info is understood .  
Thanks

Sent from iPhone excuse all typos / misspellings 80% mobile

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Begin forwarded message:

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Subject: foia

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## STATE

### FREEDOM OF INFORMATION ACT

# Both sides claim victory after court ruling

By MEG KINNARD

The Associated Press

COLUMBIA — Public bodies in South Carolina cannot use the Freedom of Information Act to justify decisions not to release records or hold open meetings, the state's highest court ruled Wednesday.

In a 3-2 decision, the state Supreme Court ruled that a circuit judge should not have allowed the South Carolina Association of School Administrators to argue that open records requirements harmed its members' free speech rights.

Charleston-area radio personality Rocky Disabato sued the association after it denied his open records request in 2009 on the basis it wasn't subject to the law. The association, whose members are public school boards and board members, gets public money, and Disabato — known on-air as "Rocky D" — argued it should therefore be subject to the Freedom of Information Act.

#### COURT DECISION

In a 3-2 decision, the state Supreme Court ruled that a circuit judge should not have allowed the South Carolina Association of School Administrators to argue that open records requirements harmed its members' free speech rights.

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In the majority opinion, Justice Kaye Hearn cited a 1991 case in which the court held that even a private corporation supported by public money could be defined as a "public body," which, under FOIA, must make its meetings and records available to the public.

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money supported by public money could be defined as a "public body," which, under FOIA, must make its meetings and records available to the public.

And, without a requirement that groups that receive public funds be therefore subject to public scrutiny, the court wrote, agencies could easily push various agendas through third-party groups without such scrutiny.

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"If public bodies were not subject to the FOIA, governmental bodies could subvert the FOIA by funneling state funds to nonprofit corporations so that those corporations could act, outside the public's view, as proxies for the state,"

the court wrote.

The justices did not decide if the association is a public body and left it up to a lower court to take that issue back up and decide. Disabato's lawyers said Wednesday that he will pursue that determination.

In a statement released through the association's attorneys, SCASA executive director Molly Spearman said she was pleased with the ruling and said her organization remained confident it is not a "public body."

Jay Bender, a media attorney who filed a brief in the case on behalf of the South Carolina Press Association, applauded the ruling as a victory for open records supporters.

"I think this makes it clear, if you're a public body, you're required to have your meetings open to the public," Bender said. "You can't claim even First Amendment protection to shelter your meetings and shelter your meetings from disclosure. I think that helps democracy."