

**From:** Patrick Dennis <PatrickDennis@schouse.gov>  
**To:** Ken MoffittKenMoffitt@scsenate.gov  
'Bob Cook'BCook@scag.gov  
Bobby Stepprstepp@sowellgray.com  
Emory SmithESmith@scag.gov  
**CC:** Roland Franklinfranklin@sowellgray.com  
Gossett, Jeffjeffgossett@scsenate.gov  
Reid, Charlescharlesreid@schouse.gov  
Pisarik, HollyHollyPisarik@gov.sc.gov  
Betsy Graygray@sowellgray.com  
**Date:** 10/26/2015 8:22:43 AM  
**Subject:** RE: Reply to Return to Petition to Vacate Supplemental Order - Abbeville

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I think the House is in complete agreement with Ken and Jeff's sentiment. We'd encourage the inclusion of Bob's language to highlight that the plaintiff's suggestion remains unconstitutional. Otherwise, the document seems perfect in length, substance and tone to us.

Patrick Dennis  
Chief of Staff and  
Legal Counsel to the Speaker  
Speaker of the South Carolina House of Representatives  
506 Blatt Building  
P.O. Box 11867  
Columbia, SC 29211  
(803) 734-3125 (office)  
(803) 734-9488 (fax)

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**From:** Ken Moffitt  
**Sent:** Monday, October 26, 2015 8:10 AM  
**To:** 'Bob Cook'; Bobby Stepp; Emory Smith  
**Cc:** Roland Franklin; Jeff Gossett; Patrick Dennis; Charles Reid; Pisarik, Holly; Betsy Gray  
**Subject:** RE: Reply to Return to Petition to Vacate Supplemental Order - Abbeville

The recommendations from Bob and Emory are very good and we have no objection to working in them in - particularly the idea that the Plaintiff's proposal is still unconstitutional. However, we would like to see the return remain very much in its current form with regards to both its brevity and substance.

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**From:** Bob Cook [<mailto:BCook@scag.gov>]  
**Sent:** Monday, October 26, 2015 8:01 AM  
**To:** Bobby Stepp; Emory Smith  
**Cc:** Roland Franklin; Jeff Gossett; Patrick Dennis; Ken Moffitt; Charles Reid; Pisarik, Holly; Betsy Gray  
**Subject:** RE: Reply to Return to Petition to Vacate Supplemental Order - Abbeville

It looks good. I only offer this sentence which I proposed earlier if you would like to insert.

This Order represents the first time in the Court's history that the Court has intruded upon the powers of the Legislature by ordering it to comply with a timetable which is unworkable, unattainable and most importantly

unconstitutional.

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From: Bobby Stepp [<mailto:rstepp@sowellgray.com>]  
Sent: Friday, October 23, 2015 5:29 PM  
To: Emory Smith  
Cc: Bob Cook; Roland Franklin; Jeff Gossett; Patrick Dennis; Ken Moffitt; [CharlesReid@schouse.gov](mailto:CharlesReid@schouse.gov); Pizarik, Holly; Betsy Gray  
Subject: Re: Reply to Return to Petition to Vacate Supplemental Order - Abbeville

Thanks, Emory. We were trying to keep it short and fairly soft. We will of course revise it to accommodate the consensus of the group.

Bobby Stepp  
803-231-7836 (O)  
803-315-0064 (M)

On Oct 23, 2015, at 5:26 PM, Emory Smith <[ESmith@scag.gov](mailto:ESmith@scag.gov)> wrote:

Good work, Roland.

I do suggest that the Return a little more specifically address why the time deadline for legislative action as suggested by the Plaintiffs and their suggestion for a Court appointed experts do not avoid the separation of powers problems. If all of you prefer that it be more general on those points, I defer to you.

Thanks.

Emory

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From: Bobby Stepp [<mailto:rstepp@sowellgray.com>]  
Sent: Friday, October 23, 2015 3:23 PM  
To: Bob Cook; Roland Franklin; Jeff Gossett; Patrick Dennis; Ken Moffitt; [CharlesReid@schouse.gov](mailto:CharlesReid@schouse.gov); Emory Smith; Pizarik, Holly  
Cc: Betsy Gray  
Subject: RE: Reply to Return to Petition to Vacate Supplemental Order

We look forward to your comments, Bob. Have a good weekend.

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From: Bob Cook [<mailto:BCook@scag.gov>]  
Sent: Friday, October 23, 2015 3:21 PM  
To: Roland Franklin <[rfranklin@sowellgray.com](mailto:rfranklin@sowellgray.com)>; Jeff Gossett <[JeffGossett@scsenate.gov](mailto:JeffGossett@scsenate.gov)>; Patrick Dennis <[PatrickDennis@schouse.gov](mailto:PatrickDennis@schouse.gov)>; Ken Moffitt <[KenMoffitt@scsenate.gov](mailto:KenMoffitt@scsenate.gov)>; [CharlesReid@schouse.gov](mailto:CharlesReid@schouse.gov); Emory Smith <[ESmith@scag.gov](mailto:ESmith@scag.gov)>; Pizarik, Holly <[HollyPizarik@gov.sc.gov](mailto:HollyPizarik@gov.sc.gov)>  
Cc: Bobby Stepp <[rstepp@sowellgray.com](mailto:rstepp@sowellgray.com)>; Betsy Gray <[egrays@sowellgray.com](mailto:egrays@sowellgray.com)>  
Subject: RE: Reply to Return to Petition to Vacate Supplemental Order

I plan to read over the weekend. But I am sure it is good. Emory has some thoughts I believe. Does anyone need anything from me?

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From: Roland Franklin [<mailto:rfranklin@sowellgray.com>]  
Sent: Friday, October 23, 2015 2:56 PM  
To: Jeff Gossett; Patrick Dennis; Ken Moffitt; [CharlesReid@schouse.gov](mailto:CharlesReid@schouse.gov); Emory Smith; Bob Cook; Pizarik, Holly  
Cc: Bobby Stepp; Betsy Gray  
Subject: Reply to Return to Petition to Vacate Supplemental Order  
Importance: High

Counsel:

Attached for your review is a draft of our Reply to Return to Petition to Vacate Supplemental Order. The Reply must be filed on or before October 30, 2015. Please let me know of any revisions or comments you have at your earliest convenience.

Roland

<image001.jpg>

Roland M. Franklin  v-card  
Attorney

803 231.7826  
[www.sowellgray.com](http://www.sowellgray.com)



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