

From: Becky Laffitte <blaffitte@sowellgray.com>
To: Whittle, AmandaAmanda.Whittle@dss.sc.gov
Carenn Moorecarenn@sowellgray.com
Catone, TonyTony.Catone@dss.sc.gov
CC: Davis, TaronTaron.Davis@dss.sc.gov
Shackelford, JohnJohn.Shackelford@dss.sc.gov
Pisarik, HollyHollyPisarik@gov.sc.gov
Butch BowersButch@ButchBowers.com
Monty Toddmtodd@sowellgray.com
Robin Owensrowens@sowellgray.com
Becky Laffitteblaffitte@sowellgray.com
Date: 2/19/2016 3:48:24 PM
Subject: RE: Emailing: 2016 02 18 DRAFT SETTLEMENT AGREEMENT (Clarifications).docx, Appendix Pre-Approved Agreed Upon exceptions 2-18-16.docx CONFIDENTIAL... MEDIATION NEGOTIATIONS DOCUMENT....ATTORNEY-CLIENT PRIVILEGE

Thanks so much Amanda, Tony, Taron, John and Holly:

Have a great weekend

From: Whittle, Amanda [mailto:Amanda.Whittle@dss.sc.gov]
Sent: Friday, February 19, 2016 3:45 PM
To: Becky Laffitte <blaffitte@sowellgray.com>; Carenn Moore <cmoore@sowellgray.com>; Catone, Tony <Tony.Catone@dss.sc.gov>
Cc: Davis, Taron <Taron.Davis@dss.sc.gov>; Shackelford, John <John.Shackelford@dss.sc.gov>; Pisarik, Holly <HollyPisarik@gov.sc.gov>; Butch Bowers <Butch@ButchBowers.com>; Monty Todd <mtodd@sowellgray.com>; Robin Owens <rowens@sowellgray.com>
Subject: RE: Emailing: 2016 02 18 DRAFT SETTLEMENT AGREEMENT (Clarifications).docx, Appendix Pre-Approved Agreed Upon exceptions 2-18-16.docx CONFIDENTIAL...MEDIATION NEGOTIATIONS DOCUMENT....ATTORNEY-CLIENT PRIVILEGE

The Director has approved these clarifications. Please proceed. Thank you again, Amanda

*Amanda F. Whittle
Assistant General Counsel
Office of General Counsel
S.C. Dept. of Social Services*

*Mailing address: Post Office Box 1520, Columbia, SC 29202-1520
Physical address: 1535 Confederate Avenue, Room 621, Columbia, SC 29202
Electronic mail address: amanda.whittle@dss.sc.gov
Telephone: (803) 898-0776 · Facsimile: (803) 898-7245
Cellular phone: (803) 917-1323*

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From: Becky Laffitte [<mailto:blaffitte@sowellgray.com>]
Sent: Friday, February 19, 2016 3:43 PM
To: Whittle, Amanda <Amanda.Whittle@dss.sc.gov>; Carenn Moore <cmoore@sowellgray.com>; Catone, Tony <Tony.Catone@dss.sc.gov>
Cc: Davis, Taron <Taron.Davis@dss.sc.gov>; Shackelford, John <John.Shackelford@dss.sc.gov>; Pisarik, Holly <HollyPisarik@gov.sc.gov>; Butch Bowers <Butch@ButchBowers.com>; Monty Todd <mtodd@sowellgray.com>; Robin Owens <rowens@sowellgray.com>
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Happy to assist. Thanks to all of you

From: Whittle, Amanda [<mailto:Amanda.Whittle@dss.sc.gov>]
Sent: Friday, February 19, 2016 3:39 PM
To: Becky Laffitte <blaffitte@sowellgray.com>; Carenn Moore <cmoore@sowellgray.com>; Catone, Tony <Tony.Catone@dss.sc.gov>
Cc: Davis, Taron <Taron.Davis@dss.sc.gov>; Shackelford, John <John.Shackelford@dss.sc.gov>; Pisarik, Holly <HollyPisarik@gov.sc.gov>; Butch Bowers <Butch@ButchBowers.com>; Monty Todd <mtodd@sowellgray.com>; Robin Owens <rowens@sowellgray.com>
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We will. Thank you, Becky and Monty. – Amanda

*Amanda F. Whittle
Assistant General Counsel
Office of General Counsel
S.C. Dept. of Social Services*

*Mailing address: Post Office Box 1520, Columbia, SC 29202-1520
Physical address: 1535 Confederate Avenue, Room 621, Columbia, SC 29202
Electronic mail address: amanda.whittle@dss.sc.gov
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From: Becky Laffitte [<mailto:blaffitte@sowellgray.com>]
Sent: Friday, February 19, 2016 3:38 PM
To: Carenn Moore <cmoore@sowellgray.com>; Whittle, Amanda <Amanda.Whittle@dss.sc.gov>; Catone, Tony <Tony.Catone@dss.sc.gov>
Cc: Davis, Taron <Taron.Davis@dss.sc.gov>; Shackelford, John <John.Shackelford@dss.sc.gov>; Pisarik, Holly

<HollyPisarik@gov.sc.gov>; Butch Bowers <Butch@ButchBowers.com>; Monty Todd <mtodd@sowellgray.com>; Robin Owens <rowens@sowellgray.com>; Becky Laffitte <blaffitte@sowellgray.com>
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Tony and Amanda:

Monty is in a CLE until later today and I'll be in a tutorial for an online mock trial beginning at 4 this afternoon. Assuming Director Alford approves the sending of these proposed changes, please make sure to notify Carenn or Robin so we can get this out today. Thanks so much B

From: Carenn Moore
Sent: Friday, February 19, 2016 3:36 PM
To: Becky Laffitte <blaffitte@sowellgray.com>; Whittle, Amanda <Amanda.Whittle@dss.sc.gov>; Catone, Tony <Tony.Catone@dss.sc.gov>
Cc: Davis, Taron <Taron.Davis@dss.sc.gov>; Shackelford, John <John.Shackelford@dss.sc.gov>; Pisarik, Holly <HollyPisarik@gov.sc.gov>; Butch Bowers <Butch@ButchBowers.com>; Monty Todd <mtodd@sowellgray.com>; Robin Owens <rowens@sowellgray.com>
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Attached is the draft following Amanda's email referencing the comment in section K.

Carenn

From: Becky Laffitte
Sent: Friday, February 19, 2016 3:26 PM
To: Whittle, Amanda <Amanda.Whittle@dss.sc.gov>; Catone, Tony <Tony.Catone@dss.sc.gov>
Cc: Davis, Taron <Taron.Davis@dss.sc.gov>; Shackelford, John <John.Shackelford@dss.sc.gov>; Pisarik, Holly <HollyPisarik@gov.sc.gov>; Butch Bowers <Butch@ButchBowers.com>; Monty Todd <mtodd@sowellgray.com>; Carenn Moore <cmoore@sowellgray.com>; Robin Owens <rowens@sowellgray.com>
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Ok thanks

From: Whittle, Amanda [<mailto:Amanda.Whittle@dss.sc.gov>]
Sent: Friday, February 19, 2016 3:25 PM
To: Becky Laffitte <blaffitte@sowellgray.com>; Catone, Tony <Tony.Catone@dss.sc.gov>
Cc: Davis, Taron <Taron.Davis@dss.sc.gov>; Shackelford, John <John.Shackelford@dss.sc.gov>; Pisarik, Holly <HollyPisarik@gov.sc.gov>; Butch Bowers <Butch@ButchBowers.com>; Monty Todd <mtodd@sowellgray.com>; Carenn Moore <cmoore@sowellgray.com>; Robin Owens <rowens@sowellgray.com>
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Becky - I just conferred with Tony. The proposed deletions from Andy should not be deleted, because they are part of the redline. However, we do need section I (one) K to be scrubbed and then recirculated. –Amanda

*Amanda F. Whittle
Assistant General Counsel
Office of General Counsel
S.C. Dept. of Social Services*

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Physical address: 1535 Confederate Avenue, Room 621, Columbia, SC 29202
Electronic mail address: amanda.whittle@dss.sc.gov
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From: Becky Laffitte [<mailto:blaffitte@sowellgray.com>]
Sent: Friday, February 19, 2016 3:15 PM
To: Catone, Tony <Tony.Catone@dss.sc.gov>
Cc: Whittle, Amanda <Amanda.Whittle@dss.sc.gov>; Davis, Taron <Taron.Davis@dss.sc.gov>; Shackelford, John <John.Shackelford@dss.sc.gov>; Pisarik, Holly <HollyPisarik@gov.sc.gov>; Butch Bowers <Butch@ButchBowers.com>; Monty Todd <mtodd@sowellgray.com>; Carenn Moore <cmoore@sowellgray.com>; Robin Owens <rowens@sowellgray.com>
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Tony

Just to confirm you wish for us to make these changes and recirculate? thanks

From: Catone, Tony [<mailto:Tony.Catone@dss.sc.gov>]
Sent: Friday, February 19, 2016 3:14 PM
To: Becky Laffitte <blaffitte@sowellgray.com>
Cc: Whittle, Amanda <Amanda.Whittle@dss.sc.gov>; Davis, Taron <Taron.Davis@dss.sc.gov>; Shackelford, John <John.Shackelford@dss.sc.gov>; Pisarik, Holly <HollyPisarik@gov.sc.gov>; Butch Bowers <Butch@ButchBowers.com>; Monty Todd <mtodd@sowellgray.com>; Carenn Moore <cmoore@sowellgray.com>; Robin Owens <rowens@sowellgray.com>
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Yes-these are just making the changes that were in the comments. I had left the numbers for everyone to see and added the new numbers.

Tony

Sent from my iPhone

On Feb 19, 2016, at 3:08 PM, Becky Laffitte <blaffitte@sowellgray.com> wrote:

All:

If you are good with these minor changes, we'll be happy to make them.. Just let us know...thanks

From: Andy Barclay [<mailto:andy@fosteringcourtimprovement.org>]

Sent: Friday, February 19, 2016 3:05 PM

To: Becky Laffitte <blaffitte@sowellgray.com>

Cc: Justice Corrigan <justicecorrigan@hotmail.com>; Monty Todd <mtodd@sowellgray.com>; Carenn Moore <cmoore@sowellgray.com>; Michael Montgomery <mmontgomery@sowellgray.com>; Catone, Tony <Tony.Catone@dss.sc.gov>; Whittle, Amanda <Amanda.Whittle@dss.sc.gov>; Davis, Taron <Taron.Davis@dss.sc.gov>; Pisarik, Holly <HollyPisarik@gov.sc.gov>; Butch Bowers <Butch@ButchBowers.com>
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Hi Becky,

I think the Appendix is a great addition. A few comments on agreement:

1. period start date language is good
2. p 5, III.A.: delete "(120)" in "... the Monitors shall have sixty (60) (120) days to produce ..."
3. p 5, III.A.: delete "(21)" in "the parties shall have fourteen (14) (21) days to submit ..."
4. I like the changes to III.B, clarifying delegation.
5. Very good safeguard: "M. The Monitors may meet privately with the Court concerning issues related to this case, provided both Monitors are present and the parties are made aware of the occurrence and subject of such meetings."
6. Much better on IV.A.1: "the foster care Workload Study"
7. Much better on IV.C (if Ps agree): "Referral of Institutional Abuse or Neglect"
8. That's a much more generous IV.C.f target: "(f) Timely Completion of All Investigations Within 90 days. At least 95% of all investigations of a Referral of Institutional Abuse or Neglect shall be completed within 90 days."
9. I like the changes to IV.E. Congregate Care Placements
10. Good catch switching V.B. from achievement to substantial compliance

Have a great weekend,

Andy

Becky Laffitte wrote:

Good morning Justice Corrigan

Many thanks. Hope you and yours are well. B

-----Original Message-----

From: Justice Corrigan [<mailto:justicecorrigan@hotmail.com>]

Sent: Friday, February 19, 2016 9:37 AM

To: Becky Laffitte <blaffitte@sowellgray.com>

Cc: Andy Barclay <andy@fosteringcourtimprovement.org>; Monty Todd <mtodd@sowellgray.com>

Butch Bowers <Butch@ButchBowers.com>

Subject: Re: Emailing: 2016 02 18 DRAFT SETTLEMENT AGREEMENT (Clarifications).docx

Good morning Becky and members of the defense team,

I have reviewed the proposed Appendix in light of the Settlement Agreement and hav

All the best, Maura

Sent from my iPad

On Feb 18, 2016, at 5:49 PM, Becky Laffitte <blaffitte@sowellgray.com> wrote:

Good afternoon, Andy and Justice Corrigan:

Attached please find the latest version of a counter-proposal that we intend
Since we could not make any SUBSTANTIVE changes, we attempted to clarify area
Hope you and yours are well. We miss seeing you. Best, Becky

Becky Laffitte
Sowell Gray Stepp & Laffitte
Post Office Box 11449
Columbia SC 29211

803.231.7831

<Appendix Pre-Approved Agreed Upon exceptions 2-18-16.docx>
<2016 02 18 DRAFT SETTLEMENT AGREEMENT (Clarifications).docx>

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<http://FosteringCourtImprovement.org/>