

Date : 2/12/2016 7:02:38 PM

From : "James Carpenter" james.carpenter@carpenterlawfirm.net

To : "Singleton, " Delbert delbert@sfaa.sc.gov

Subject : Re: FOIA request clarification

No particular reason; that's just the way Rule 41 reads as the presumptive way to do it.

Jim

Sent from my iPhone

On Feb 12, 2016, at 2:51 PM, Singleton, Delbert <delbert@sfaa.sc.gov> wrote:

Good afternoon Jim,

I noticed that the dismissal was without prejudice. I'm curious as to why it wasn't with prejudice. Do you mind sharing your thoughts on that?

Thanks,

Delbert

From: James Carpenter [<mailto:james.carpenter@carpenterlawfirm.net>]

Sent: Tuesday, February 09, 2016 7:27 PM

To: Singleton, Delbert

Subject: Re: FOIA request clarification

I put it in the mail today

Sent from my iPhone

On Feb 9, 2016, at 5:18 PM, Singleton, Delbert <delbert@sfaa.sc.gov> wrote:

Jim, just one question for follow up and clarification. Was the notice of dismissal filed to day with the clerk and was that done by mail or in person?

Sent from my iPhone

On Feb 9, 2016, at 12:56 PM, James Carpenter <james.carpenter@carpenterlawfirm.net> wrote:

Delbert,

I attach a copy of our Notice of Dismissal, which is on the way to you and to the Clerk of Court.

Thank you for your help in getting this resolved.

Jim

James G. Carpenter

The Carpenter Law Firm, PC

819 E. North St.

Greenville, SC 29601

(864) 235-1269 phone

(864) 331-3083 fax

www.carpenterlawfirm.net

<image002.jpg>

WHEN IT'S WORTH FIGHTING FOR!

From: Singleton, Delbert [<mailto:delbert@sfaa.sc.gov>]

Sent: Monday, February 08, 2016 3:49 PM

To: James Carpenter <james.carpenter@carpenterlawfirm.net>

Subject: RE: FOIA request clarification

Jim,

Thanks.

I pray all is well with your wife and you.

Delbert

From: James Carpenter [<mailto:james.carpenter@carpenterlawfirm.net>]
Sent: Monday, February 08, 2016 3:44 PM
To: Singleton, Delbert
Subject: RE: FOIA request clarification

Delbert,

Sorry, I was out most of last week. My wife learned a week ago Friday that she was going to have some pretty major surgery on last Tuesday. She was in the hospital from Tuesday to Friday. Consequently, I was on the office nearly all last week. I spent three nights in the hospital with her, and she came home on Friday.

I will get the Dismissal filed, with a copy to you, but it may take me another day or two.

Jim

From: Singleton, Delbert [<mailto:delbert@sfaa.sc.gov>]
Sent: Monday, February 08, 2016 3:14 PM
To: James Carpenter <james.carpenter@carpenterlawfirm.net>
Subject: RE: FOIA request clarification

Jim,

Just checking to see when we might receive a copy of the order dismissing the lawsuit.

Thanks,

Delbert

From: Singleton, Delbert
Sent: Wednesday, February 03, 2016 9:47 AM
To: 'James Carpenter'
Subject: RE: FOIA request clarification

Jim,

Attached are the documents pursuant to your FOIA requests. Please provide me with a copy of the order dismissing the lawsuit against the Governor's Office when it is received.

Thanks,

Delbert

From: James Carpenter [<mailto:james.carpenter@carpenterlawfirm.net>]
Sent: Monday, February 01, 2016 5:15 PM
To: Singleton, Delbert
Subject: RE: FOIA request clarification

Delbert,

It's in the mail to you.

Jim

From: Singleton, Delbert [<mailto:delbert@sfaa.sc.gov>]
Sent: Monday, February 01, 2016 4:29 PM
To: James Carpenter <james.carpenter@carpenterlawfirm.net>
Cc: Singleton, Delbert <delbert@sfaa.sc.gov>
Subject: RE: FOIA request clarification

Jim,

We have the documents ready for release electronically. The cost for providing the documents is \$45.00. Please provide a check or money order made payable to the State Fiscal Accountability Authority. Upon receipt of payment, the documents will be released to you electronically. You may mail payment to me at Post Office Box 12444 Columbia, SC 29201.

Delbert

<image003.jpg>

Delbert H. Singleton, Jr.

Assistant Executive Director and Authority Secretary
SC State Fiscal Accountability Authority

| | |

NOTE: Act 121 of 2014 (SC Restructuring Act of 2014) abolished the Budget and Control Board and established the State Fiscal Accountability Authority effective July 1, 2015. Please update your contact information.

From: James Carpenter [mailto:james.carpenter@carpenterlawfirm.net]

Sent: Friday, January 29, 2016 2:56 PM

To: Singleton, Delbert

Subject: RE: FOIA request clarification

Delbert,

I'm sorry. I had some errors in the case numbers. The ones we are interested in are the following from your second list:

10-CP-38-1260 (Hawkins) (P. 20)

11-CP-04-1810 (White) (P. 24)

12-CP-34-0086 (Calder) (P. 28)

14-CP-43-2540 (Jones) (P. 32)

I'm sorry for the confusion. Please let me know if you need anything else.

Jim Carpenter

From: Singleton, Delbert [mailto:delbert@sfaa.sc.gov]

Sent: Friday, January 29, 2016 10:12 AM

To: James Carpenter <james.carpenter@carpenterlawfirm.net>

Subject: RE: FOIA request clarification

Jim,

We are having issues with identifying the case numbers you've referenced. Please highlight the cases on the report and scan back to me.

Thanks,

Delbert

From: James Carpenter [mailto:james.carpenter@carpenterlawfirm.net]

Sent: Thursday, January 28, 2016 12:30 PM

To: Singleton, Delbert

Subject: RE: FOIA request clarification

Delbert,

Thank you for providing, pursuant to Mr. Sloan's FOIA requests, the two long lists of claims that DOT paid related to water on the roads and hydroplaning and other causes.

We have narrowed the focus of our interest to the following cases:

10-CP-38-1060

11-CP-04-1910

12-CP-14-0086

14-CP-43-2540

Please provide copies of the following documents related to these cases:

1. all complaints and amended complaints;
2. all orders, judgments, stipulations of dismissal, or the public record that concluded each action;
and
3. any settlement agreement related to these actions.

If we receive these materials by February 5, we will deem both FOIA requests satisfied, and we will terminate the lawsuit related to these matters.

Sincerely yours,

Jim Carpenter

James G. Carpenter
The Carpenter Law Firm, PC
819 E. North St.
Greenville, SC 29601
(864) 235-1269 phone
(864) 331-3083 fax
www.carpenterlawfirm.net

<image002.jpg>
WHEN IT'S WORTH FIGHTING FOR!

From: Singleton, Delbert [<mailto:delbert@sfaa.sc.gov>]
Sent: Tuesday, January 26, 2016 6:10 PM
To: James Carpenter <james.carpenter@carpenterlawfirm.net>
Subject: RE: FOIA request clarification

Jim,

Attached is the report for 2010-2016 that you requested for your second FOIA request dated January 25, 2016. Please note that the report before and the one attached are both for claims that were closed during those time periods (regardless of date of loss). Also there is an overlap of the claims closed in 2010. As before, please let me know the complaints your client is interested in.

Additionally, the estimated cost for providing the copies for the original request is \$781.00. Prior to processing the original request, we will need a deposit of \$390.50. A check or money order should be made payable to the State Fiscal Accountability Authority.

Please let me know if you have any questions.

Delbert

<image003.jpg>
Delbert H. Singleton, Jr.
Assistant Executive Director and Authority Secretary
SC State Fiscal Accountability Authority

NOTE: Act 121 of 2014 (SC Restructuring Act of 2014) abolished the Budget and Control Board and established the State Fiscal Accountability Authority effective July 1, 2015. Please update your contact information.

From: James Carpenter [<mailto:james.carpenter@carpenterlawfirm.net>]
Sent: Monday, January 25, 2016 12:08 PM
To: Singleton, Delbert
Subject: RE: FOIA request clarification

Delbert,

Thank you for the loss report for the DOT. We have reviewed it. We notice that it covers claims from 1997 through 2010. Please send us a similar report for claims from 2010 to the present. I understand that this is in addition to the documents originally requested. Please consider this a new request under the

Freedom of Information Act.

By the way, after we sent the original written request to the Governor, we sent a similar request to you a few days ago. We do not have the green card back (return receipt), but we do have a report from the online US Post Office source that the letter containing the request was delivered to your office. You should have received it last week. Please let us know if you have not received it, and we can email you another copy.

Thank you for your assistance. Please call me if you wish to discuss this.

Jim Carpenter
James G. Carpenter
The Carpenter Law Firm, PC
819 E. North St.
Greenville, SC 29601
(864) 235-1269 phone
(864) 331-3083 fax
www.carpenterlawfirm.net

<image002.jpg>
WHEN IT'S WORTH FIGHTING FOR!

From: Singleton, Delbert [<mailto:delbert@sfaa.sc.gov>]
Sent: Wednesday, January 20, 2016 5:06 PM
To: James Carpenter <james.carpenter@carpenterlawfirm.net>
Cc: Singleton, Delbert <delbert@sfaa.sc.gov>
Subject: RE: FOIA request clarification

Jim,

Attached is a copy of a loss report for DOT that we believe contains information that falls within your request. As you will note, the report contains more than 17 claims. Upon review, please let me know the 17 claims you're interested in.

Delbert

From: James Carpenter [<mailto:james.carpenter@carpenterlawfirm.net>]
Sent: Wednesday, January 20, 2016 1:09 PM
To: Singleton, Delbert
Subject: FOIA request clarification

Delbert,

Mr. Sloan found a report entitled, "The Relationship of SCDOT Damage Claims and Lawsuits to Roadway Engineering Safety Issues" issued by Clemson University in 2010 or shortly thereafter. I found a copy of it on the Internet by Googling that name. The report, with appendices, is 208 pages long.

For your convenience I attach a copy of the title page (which is the first page of the report) and Appendix G (which is at the end of the report).

Appendix G under "Cause Code" lists "Water on Road Surface" as the third most frequent Cause Code and shows 23 lawsuits and 17 payouts costing more than \$2 million.

This is the document that prompted our FOIA request.

I hope this helps. We look forward to your response.

Jim
James G. Carpenter
The Carpenter Law Firm, PC
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Greenville, SC 29601
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WHEN IT'S WORTH FIGHTING FOR!

<Notice of Dismissal and Certificate of Service.pdf>