

From: Kenneth P. Woodington <kwoodington@DML-LAW.com>
To: Pisarik, HollyHollyPisarik@gov.sc.gov
'Catone, Tony'Tony.Catone@dss.sc.gov
CC: William H. Davidson llwdavidson@DML-LAW.com
Date: 3/14/2016 1:09:38 PM
Subject: RE: Refugee Resettlement case (Bilbro)

We would prefer to file today, because it's the state court due date. Plaintiff's counsel, who may not even be admitted in federal court and who probably knows nothing about removal procedure, might assume that if we file nothing today, we made a mistake. Even though that's not right, filing today avoids an unnecessary argument about that issue. We can always amend as of right within 21 days.

If you would like to add some language which would indicate in some way that Governor agrees with Plaintiff's concerns, that can be worked in.

From: Pisarik, Holly [mailto:HollyPisarik@gov.sc.gov]
Sent: Monday, March 14, 2016 1:03 PM
To: Kenneth P. Woodington; 'Catone, Tony'
Subject: RE: Refugee Resettlement case (Bilbro)

Got it. Will review shortly and be back in touch. Are you definitely filing today?

From: Kenneth P. Woodington [mailto:kwoodington@DML-LAW.com]
Sent: Monday, March 14, 2016 1:02 PM
To: Pisarik, Holly; 'Catone, Tony'
Subject: RE: Refugee Resettlement case (Bilbro)

Sending again in case the one on Friday did not go through.

Thanks,

Ken Woodington

From: Kenneth P. Woodington
Sent: Friday, March 11, 2016 3:38 PM
To: 'HollyPisarik@gov.sc.gov'; 'Catone, Tony'
Cc: William H. Davidson II
Subject: Refugee Resettlement case (Bilbro)

Holly and Tony, Will and I have discussed whether to file an Answer rather than a Motion to Dismiss, and have concluded that an Answer is probably the better way to go. We would plan to move for summary judgment fairly shortly thereafter, and of course would be able to include affidavits, etc., and not be bound to accept the allegations of the Complaint. I have not seen anything from Will to you two today about this, but we had an e-mail problem for a little while earlier today.

A draft Answer is attached for your review. We would prefer to file it this coming Monday, which would have been the due date in state court. We really have until at least Thursday (7 days after the notice of removal), but Plaintiff's counsel may not know that. In fact, I am not sure Plaintiff's counsel is even admitted to the federal bar at present.

Please review this and advise Will and me on Monday of any changes you see that need to be made. We

will look it over again ourselves, and if this approach is all right, we will file and serve it on Monday. By the way, this case has been assigned to Joe Anderson, which is usually a good thing.

Regards,

Ken Woodington

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