

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

MICHELLE H., by her next friend )  
Tamara Coppinger, AVA R., by her )  
next friend Tamara Coppinger, )  
ZAHARA L., by her next friend )  
Deborah Wilson, SAMMY V., by )  
his next friend Aleksandra )  
Chauhan, ANDREW R., by his next )  
friend Cheryl Kreider, MARCUS, )  
ANNIE, CAMERON, SARA and )  
ROGER B., by their next friend )  
Margaret Wilson, and KYLE S., by )  
his next friend Tamara Coppinger, )  
Individually and on behalf of all )  
other similarly situated children, )

Plaintiffs, )

vs. )

NIKKI HALEY, in her official )  
capacity as Governor of the State of )  
South Carolina, and SUSAN )  
ALFORD, in her official capacity )  
as Acting State Director of the )  
South Carolina Department of )  
Social Services, )

Defendants. )

Civil Action No. 2:15-cv-00134-RMG

**NOTICE OF FILING**

The defendant, Susan Alford, in her official capacity as Director of the South Carolina Department of Social Services, by and through the undersigned attorneys, hereby files the attached Affidavit of Compliance with Notice Requirements, per the Order of the Honorable Richard M. Gergel, dated June 28, 2016.

Respectfully submitted,

SOWELL GRAY STEPP & LAFFITTE, L.L.C.

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Attorneys for Defendant, Susan Alford, in her official  
capacity as Director of the South Carolina Department of  
Social Services

Columbia, South Carolina

July 15, 2016

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

<b>MICHELLE H., et al,</b>	)	
	)	
<b>Individually, and on behalf of all other</b>	)	
<b>similarly situated children.</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>C/A No. 2:15-cv-00134-RMG</b>
	)	
<b>NIKKI HALEY, in her official capacity as</b>	)	
<b>Governor of the State of South Carolina, et al.</b>	)	
	)	
<b>Defendants.</b>	)	
<hr style="width: 40%; margin-left: 0;"/>	)	

**AFFIDAVIT OF COMPLIANCE WITH NOTICE REQUIREMENTS**

Personally appeared before me, Anthony Catone, who, upon being duly sworn, stated the following:

1. Anthony Catone is employed with the South Carolina Department of Social Services (SCDSS) as General Counsel.
2. SCDSS gathered contact information for the individuals, entities and agencies outlined in sections 3(a) and (b) of the Order Granting Preliminary Approval of Class Action Settlement Agreement, Setting Hearing for Final Approval, and Directing Notice to the Class issued in this matter on June 28, 2016 (the "Order").
3. On July 8, 2016, the Defendants sent the Proposed Notice and Cover Letter required by the Order to Counsel for the Plaintiffs for review, edits and approval.
4. On July 14, 2016, the Proposed Final Settlement Agreement was posted on the DSS Website as required by the Order.
5. Physical mailing of large batch mail from DSS is contracted to Consolidated Mailing Service, 111 N. 12<sup>th</sup> St., W. Columbia, SC 29169. All names and address lists were provided to Consolidated Mail Service, and upon information and belief based upon written representations by its representatives, all physical mailings were deposited in the U.S. Mail, postage prepaid, on or before July 15, 2016.


6. SCDSS disseminated the Notice and letter, as applicable, as directed in sections 3 (a) and (b) of the Order as follows:

- 3.a.1 Email with notice and letter from Director to post notice
- 3.a.2 Mail with notice and letter from Director to post notice
- 3.a.3 Mail with notice and letter from Director to post notice
- 3.a.4 Mail with notice and letter from Director to post notice
- 3.a.5 Mail with notice and letter from Director to post notice
- 3.a.6 Mail with notice and letter from Director to post notice
- 3.a.7 Mail with notice and letter from Director to post notice
- 3.b.1 Email with notice and letter from Director with explanation
- 3.b.2 Email to B. Gorski with notice and letter from Director with explanation
- 3.b.3 Mail with notice and letter from Director with explanation
- 3.b.4 Mail with notice and letter from Director with explanation
- 3.b.5 Mail with notice and letter from Director with explanation
- 3.b.6 Mail with notice and letter from Director with explanation

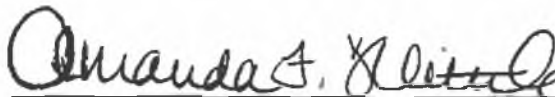
A total of 5,622 mail pieces were deposited in the U.S. Mail in compliance with these sections of the Order.

7. SCDSS mailed a Notice and Letter to approximately 2,879 addresses maintained in centralized data systems for biological parents of children in foster care. SCDSS mailed a Notice and Letter to 5,622 other individuals or entities as required by the Order, for a total of 8,501 mail pieces. As a failsafe mechanism to provide Notice to as many biological parents of children in DSS foster care as possible, DSS will obtain from each case worker in the state the names and addresses currently being used for the biological parents for each child assigned to him/her and the Notice and Letter will be mailed to those additional addresses. When the mailings are completed, DSS will file a Supplemental Affidavit with the Court describing its actions pursuant to this Court's Order. Counsel for Plaintiffs have no objection to these actions by DSS and the filing of a Supplemental Affidavit once these mailings are completed.
8. On July 12, 2016 and July 13, 2016, notices were electronically mailed to 1,614 DSS employees as outlined in section 3.b.1. of the Order, to individuals for posting notices at DSS offices as outlined in 3.a.1., and to Brenda Gorski for the Guardian ad litem Program as outlined in 3.b.2.
9. Including both physical mail and electronic mail, as of July 15, 2016, SCDSS has sent Notice to approximately 10,179 individuals or entities as required by the Order.
10. SCDSS will continue to make diligent efforts to provide notice as outlined in footnote 1 and paragraph 5 of the order.

Further Affiant sayeth naught

  
\_\_\_\_\_  
Anthony Catone

Sworn to and subscribed before  
me this 15<sup>th</sup> day of July, 2016.

  
\_\_\_\_\_  
NOTARY PUBLIC OF SOUTH CAROLINA  
My Commission Expires: 6-18-2020