

From: Valenta, Val
To: Adams, Marcia S <Marcia.Adams@SCDMV.net>
CC: Earley, Jr., Jimmy E <Jimmy.Earley@SCDMV.net>
Lake, Steven/O=SOUTH CAROLINA/OU=DMV-DPS/CN=RECIPIENTS/CN=Lake_Steven
Date: 10/9/2008 4:46:20 PM
Subject: FW: Summers v. Adams ("I Believe") License Plates

Marcia,

Jon Ozmint is trying again to be dismissed from this suit, to leave us as the only agency that will foot the bill for attorney fees.

How do you want me to respond?

Val

From: David Tatarsky [mailto:Tatarsky.David@doc.state.sc.us]
Sent: Thursday, October 09, 2008 4:44 PM
To: Val.Valenta@scdmv.net
Cc: Jon Ozmint; Harry Stokes
Subject: Summers v. Adams ("I Believe") License Plates

Val,

We have recently had a discussion with plaintiff's counsel, Ayesha Khan, about Director Ozmint's possible dismissal from "I Believe" License Plates case. I also believe that Director Ozmint and Director Adams have discussed this case sometime in the past. Ms. Khan has agreed in principle to dismiss Ozmint. Her one concern is that she obtains assurances that this is not a ploy to allow us out and then have the remaining defendant claim that the dismissed party is a necessary party to obtain relief. We have assured her that, within the statutory and contractual scheme between our agencies, SCDC is only responsible for manufacture of the license plates. We only take orders from SCDMV, and thus as long as Director Adams is still a defendant, the plaintiffs can obtain their desired injunctive relief if the court rules in their favor. We may need to include this assurance in the order of dismissal.

We would like to obtain Ozmint's dismissal through a consent order. Please discuss this matter with Director Adams and let me know if we can get moving on this.

David M. Tatarsky
General Counsel
South Carolina Department of Corrections
P.O. Box 21787
4444 Broad River Road
Columbia, SC 29221-1787

803-896-8508
803-896-1766 (fax)

"ATTORNEY-CLIENT PRIVILEGED; DO NOT FORWARD WITHOUT PERMISSION."

The information contained in this transmission is privileged and confidential. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any

dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone or by email to tatarsky.david@doc.state.sc.us or by replying to this email and delete all copies of this message and all attachments.