

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

The Greenville County Republican)	
Party Executive Committee, The)	
South Carolina Republican Party,)	C.A. No.: 6:10-cv-1407-HFF
Patrick B. Haddon, in his official)	
capacity as the Chairman of the)	
Greenville County Republican Party,)	
and William "Billy" Mitchell,)	
)	COMPLAINT FOR
Plaintiffs,)	DECLARATORY JUDGMENT
)	AND FOR PERMANENT
)	INJUNCTIVE RELIEF
vs.)	
)	(Non-Jury)
The State of South Carolina and)	
John H. Hudgens, III, in his official)	
capacity as the Chairman of the)	
South Carolina State Election)	
Commission,)	
)	
Defendants.)	
_____)	

NATURE OF THE CASE

The Greenville County Republican Party Executive Committee, the South Carolina Republican Party, Patrick B. Haddon, in his official capacity as the Chairman of the Greenville County Republican Party, and William "Billy" Mitchell (hereinafter "Plaintiffs"), by and through their undersigned legal counsel, file this civil action respectfully requesting that this Court issue a declaratory judgment and permanent injunctive relief against the Defendants for Defendants' violations of the Plaintiffs' First and Fourteenth Amendment rights of free association and the equal protection of the laws as guaranteed in the United States Constitution, and to order Defendants to comply with S.C. Code Ann. § 7-9-40. This Court has jurisdiction of this claim under 28 U.S.C. § 1331, 28 U.S.C. §§ 2201-2202,

28 U.S.C. § 1367 and 42 U.S.C. § 1983. In support thereof, the Plaintiffs show unto the Court as follows:

1. On October 1, 2007, the Fourth Circuit Court of Appeals issued the decision of Miller v. Brown, 503 F.3d 360 (4th Cir. 2007) holding, inter alia, that state run open primaries are a violation of a political party's right of free association if the state places restrictions on the party's ability to nominate by other means such as a firehouse primary or by convention. Despite the ruling of the Court, the Defendants continue to conduct state run open primaries in the State of South Carolina and restrict the Plaintiffs from nominating candidates by firehouse primary or by convention.
2. Plaintiffs seek permanent injunctive relief enjoining the State of South Carolina and Defendant John H. Hudgens, III, his agents, servants, employees and those acting in active concert and with actual notice thereof, from enforcing S.C. Code Sections, 7-5-420, 7-5-610, 7-11-30, 7-13-15, 7-15-320, and 7-15-395 (hereinafter "Code Sections"), and from violating the Plaintiffs' First and Fourteenth Amendment rights of free association and the equal protection of the laws as guaranteed in the United States Constitution.
3. Plaintiffs also pray for a declaratory judgment to determine the constitutionality of S.C. Code Sections 7-5-420, 7-5-610, 7-11-30, 7-13-15, 7-15-320, and 7-15-395, and the Defendants' actions in denying the Plaintiffs the opportunity to exercise their Constitutional rights, and to declare the S.C. Code Sections, both on their face and as applied,

unconstitutional as a direct violation of the First and Fourteenth Amendments to the United States Constitution.

4. Plaintiffs also pray for permanent injunctive relief, and a declaratory judgment, ordering the Defendants and their agents, servants, and employees to comply with the provision in S.C. Code Ann. § 7-9-40 which states: “No person may ... vote in any primary ... except in the club of the voting precinct set forth in his or her registration record,” and finding that the lack of compliance by the Defendants results in a direct violation of the Plaintiffs’ rights under the First and Fourteenth Amendments to the United States Constitution.
5. An actual controversy exists between the parties involving substantial Constitutional issues, in that the S.C. Code Sections, on their face and as applied, violate the United States Constitution.

JURISDICTION AND VENUE

6. This action arises under the First and Fourteenth Amendments to the United States Constitution and 42 U.S.C. § 1983.
7. This Court has jurisdiction over this claim under, and by virtue of, 28 U.S.C. §§ 1331, 2201-2202.
8. Venue is proper under 28 U.S.C. § 1391(b). Each and all of the acts alleged herein were done by the Defendants in the State of South Carolina and in the County of Greenville, under the color and pretense of the statutes, ordinances, regulations, customs, policies, procedures and laws of the State of South Carolina.

9. This Court is authorized to grant a declaratory judgment under the Declaratory Judgment Act, 28 U.S.C. §§ 2201-2202, implemented through Rule 57 of the Federal Rules of Civil Procedure, and to issue the injunctive relief requested by the Plaintiffs through the Federal Rules of Civil Procedure.

THE PARTIES

10. Plaintiff Greenville County Republican Party Executive Committee (hereinafter “Greenville County Republican Party”) is a political entity formed pursuant to S.C. Code Ann. § 7-9-60.
11. Plaintiff South Carolina Republican Party (hereinafter “SC Republican Party”) is a political party formed pursuant to S.C. Code Ann. § 7-9-10, and it has been certified by the South Carolina State Election Commission as a political party in the State of South Carolina.
12. The Greenville County Republican Party and the South Carolina Republican Party may collectively be referred to as the “Republican Parties” or “Parties.”
13. Plaintiff Patrick B. Haddon (hereinafter “Haddon”) is a resident and citizen of Greenville County, South Carolina. He is the Chairman of the Greenville County Republican Party. The office of County Chairman is created pursuant to S.C. Code Sections 7-9-80 and 7-9-60.
14. Plaintiff William “Billy” Mitchell (hereinafter “Mitchell”) is a resident and citizen of Greenville County, South Carolina.
15. Defendant State of South Carolina is a public body, one of the sovereign states constituting the United States of America, with the authority to sue

and be sued, and was at all times relevant hereto acting under color of state law.

16. Defendant John H. Hudgens, III (hereinafter "Hudgens"), upon information and belief, is a resident and citizen of South Carolina. He is the Chairman of the South Carolina State Election Commission, and he is sued in that official capacity. The South Carolina State Election Commission, and the position of Chairman, are created pursuant to S.C. Code Ann. § 7-3-10.

COMMON FACTUAL ALLEGATIONS

17. Plaintiff Haddon is the Chairman of the Greenville County Republican Party. He is a registered elector in Greenville County. He is not a resident or registered elector in the City of Greenville. He is a member of The Lakeview Club of the Greenville County Republican Party, a precinct Club organized pursuant to S.C. Code Ann. § 7-9-30. He freely associates with the Greenville County Republican Party and the Lakeview Club of the Greenville County Republican Party. In 2008, Plaintiff Haddon was a candidate seeking the Republican nomination for the office of state Senate (District 8), but lost the election in the Republican primary. Plaintiff Haddon remains eligible to run again for the office of state Senate. Plaintiff Haddon desires to vote in primary elections that comply with his constitutional rights of free association and the equal protection of the laws under the First and Fourteenth Amendments to the United States Constitution.

18. Plaintiff Mitchell is a registered elector in Greenville County. He is also a resident and registered elector in the City of Greenville. He is a member of the Greenville 16 Club of the Greenville County Republican Party, a precinct Club organized pursuant to S.C. Code Ann. § 7-9-30. He freely associates with the Greenville County Republican Party and the Greenville 16 Club of the Greenville County Republican Party. In 2007, Plaintiff Mitchell was a candidate seeking the Republican nomination for the office of Mayor of Greenville, but lost the election in the Republican primary. Plaintiff Mitchell remains eligible to run again for the office of Mayor of Greenville. Plaintiff Mitchell desires to run in a primary election that complies with his constitutional rights of free association and the equal protection of the laws under the First and Fourteenth Amendments to the United States Constitution. Plaintiff Mitchell desires to vote in primary elections that comply with his constitutional rights of free association and the equal protection of the laws under the First and Fourteenth Amendments to the United States Constitution.
19. The Chairman of the Greenville County Republican Party has the authority to call the County Convention to order, pursuant to S.C. Code Ann. §7-9-80, and to receive and forward various documents from candidates seeking the nomination of the Greenville County Republican Party, pursuant to S.C. Code Sections 7-11-210, 7-11-220, 7-13-40 and 7-13-45.
20. The Greenville County Republican Party, pursuant to S.C. Code Sections 7-11-10, 7-11-15, 7-11-20 and 7-11-30, may nominate candidates by

political party primary or by political party convention for countywide or less than countywide office.

21. The South Carolina Republican Party, pursuant to S.C. Code Sections 7-11-10, 7-11-15, 7-11-20 and 7-11-30, may nominate candidates by political party primary or by political party convention.
22. However, for political party conventions, S.C. Code Ann. § 7-11-30 states, in part, that: “No convention shall make nominations for candidates for offices unless the decision to use the convention method is reached by a three-fourths vote of the total membership of the convention.”
23. In order to nominate by convention, according to the unconstitutional and unlawful South Carolina statutes enforced by the Defendants, the Greenville County Republican Party and South Carolina Republican Party must pass a motion to nominate by convention by three-fourths vote of the total membership of the convention.
24. Under the laws of the State of South Carolina, other corporations, partnerships and non-profit organizations can pass motions by a simple majority vote.
25. The requirement of a supermajority three-fourths vote to nominate by convention places a significant burden on the Plaintiffs’ ability to nominate candidates outside of a government conducted party primary.
26. South Carolina Code Ann. § 7-11-30, on its face and as applied, infringes on the Plaintiffs’ rights of free association and the equal protection of the laws.

27. The Defendants have no compelling state interest in requiring a three-fourths vote to pass a motion to nominate by convention. In addition, S.C. Code Ann. § 7-11-30, on its face and as applied, is not narrowly tailored to serve any compelling government interest.
28. As to political party primaries, S.C. Code Ann. § 7-15-395 states, in part, that: “All expenses incurred by any political party in conducting elections subject to the provisions of this article shall be borne by such political party.”
29. The Greenville County Republican Party, in fact, conducts and pays the expenses for the municipal primary elections for the City of Greenville (Mayor of Greenville, City Council, and Commissioner of Public Works Water Commission) as required by state law.
30. S.C. Code Ann. § 7-15-395 states, in part, that: “Any political party conducting a primary in this State is responsible for carrying out the provision of this article by making ballots and election material available so that the person named in § 7-15-320 [absentee voters] may be enabled to vote in primary elections.”
31. The Greenville County Republican Party, in fact, pays for ballots and election materials so that absentee voters may vote in the primary elections.
32. S.C. Code Ann. § 7-13-15(A)(1) requires the Greenville County Republican Party to conduct and pay for municipal primaries because the S.C. State Election Commission and the Greenville County Election

Commission are prohibited by law from conducting the partisan municipal primary elections in Greenville County.

33. S.C. Code Ann. § 7-5-420 (*List of voters for party primaries*) states that: “Immediately preceding each party primary election the board of registration in each county shall furnish to the county committee of each political party proposing to hold a primary two official lists of voters for each polling precinct in the county, containing in each the names of all electors entitled to vote at each precinct.”
34. S.C. Code Ann. § 7-5-610 (*Who is entitled to vote in municipal elections*) states that: “Every citizen of this State and of the United States: (1) Of the age of eighteen years and upwards; (2) Having all of the qualifications mentioned in § 7-5-120; (3) Who has resided within the corporate limits of any incorporated municipality in this State for thirty days previous to any municipal election; (4) Who has been registered for county, state, and national elections as herein required; is entitled to vote at all municipal elections of his municipality.”
35. S.C. Code Ann. § 7-15-320 (*Persons qualified to vote by absentee ballot*) states, in part, that: “A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections ...”
36. Even though S.C. Code Sections 7-13-15 and 7-15-395 force the Greenville County Republican Party to conduct and pay for municipal elections, S.C. Code Sections 7-5-420 and 7-5-120 permit Democrats and other rivals of the Party to vote in the Greenville County Republican Party primary elections.

37. Even though S.C. Code Ann. § 7-15-395 forces the Greenville County Republican Party to pay for the ballots and election materials for absentee voting in municipal primaries, S.C. Code Ann. § 7-15-320 permits Democrats and other rivals of the Party to vote absentee in the Greenville County Republican Party primary elections.
38. South Carolina Code Sections 7-13-15, 7-15-395, 7-5-420, 7-5-120 and 7-15-320, on their face and as applied, infringe on the Plaintiffs' rights of free association.
39. The Defendants have no compelling state interest in forcing the Parties to pay for primary elections and at the same time requiring the Parties to allow Democrats and other rivals of the Parties to vote in the primary elections. The Defendants have no compelling state interest in forcing the Parties to pay for ballots and election materials for absentee voting in municipal primary elections, and at the same time requiring the Parties to allow Democrats and other rivals of the Party to vote absentee in the primary elections. In addition, Code Sections 7-13-15, 7-15-395, 7-5-420, 7-5-120 and 7-15-320, on their face and as applied, are not narrowly tailored to serve any compelling government interest.
40. As to party primary elections, S.C. Code Ann. § 7-13-15(B)(2)(c) prohibits the Greenville County Republican Party from conducting and paying for the partisan primaries for countywide and less than countywide offices, because the primary elections "must by conducted by the State Election Commission and the county election commissions."

41. The Greenville County Republican Party and the South Carolina Republican Party are able and willing and they desire to conduct and pay for primaries (on terms established by the Parties).
42. There is no provision in the South Carolina Code which allows for a “firehouse primary”, a primary conducted by the Parties, for countywide, less than countywide offices or other state offices.
43. Pursuant to the decision in Miller vs. Brown, 503 F.3d 360, 362 (4th Cir. 2007), States that have government run open primaries must also allow for an alternative such as a “firehouse primary”, a primary conducted by the Parties, or nomination of candidates by convention.
44. The Defendants prohibit Plaintiffs Haddon and Mitchell from voting in a “firehouse primary”, a primary conducted by the Parties, or from nominating candidates by convention without resort to a three-fourths vote of the total membership of the convention.
45. The Defendants discriminate between Greenville County registered electors (Plaintiff Haddon) who can only vote in an open primary conducted by the government, versus Greenville County registered electors (Plaintiff Mitchell) who live in the City of Greenville, who can vote in a municipal primary conducted by the Greenville County Republican Party.
46. The Defendants discriminate between Greenville County residents (Plaintiff Haddon) who can only run as a candidate in an open primary conducted by the government, versus Greenville County residents (Plaintiff Mitchell) who live in the City of Greenville, who can run as a

candidate in a municipal election in a municipal primary conducted by the Greenville County Republican Party.

47. The Defendants discriminate between the Greenville County Republican Party, which is required by law to fund the City of Greenville primaries, versus other political parties in other Counties which do not have to fund any primaries because no municipality in the County holds partisan elections.
48. South Carolina Code Ann. § 7-13-15, on its face and as applied, infringes on the Plaintiffs' rights of free association and the equal protection of the laws.
49. The Defendants have no compelling state interest in forcing the Parties to conduct and pay for municipal primary elections, while at the same time, prohibiting the Parties from conducting primary elections for countywide and less than county wide office when the Parties are able and willing to conduct and pay for the primaries (on terms established by the Party), and the Defendants have no compelling state interest in discriminating between registered electors or candidates who live in a municipality and electors or candidates who do not live in a municipality. In addition, S.C. Code Ann. § 7-13-15, on its face and as applied, is not narrowly tailored to serve any compelling government interest.
50. As to party primary elections, S.C. Code Ann. § 7-9-40 states, in part, that: "Members of a political party must belong to the club in the voting precinct set forth in their respective registration records... No person may take part

in any club meeting, vote in any primary, or be elected a delegate to any county convention except in the club of the voting precinct.”

51. Plaintiff Haddon is a member of the Lakeview Club of the Greenville County Republican Party. Plaintiff Mitchell is a member of the Greenville 16 Club of the Greenville County Republican Party.
52. Defendant Hudgens, through the South Carolina State Election Commission, conducts primary elections for federal office, statewide office, countywide and less than countywide office, and for the offices for the state Senate and the state House of Representatives.
53. When the Defendants conduct the primary elections for the Republican Parties, the Defendants conduct the primary elections outside of the Club organization of the voting precinct and allow persons who are not members of the respective Republican Party Clubs in the precinct to vote in the Parties’ primary, in violation of S.C. Code Ann. § 7-9-40.
54. The failure of the Defendants to comply with S.C. Code Ann. § 7-9-40, and thus permit non-Club members to vote in a primary, infringes on the Plaintiffs’ rights of free association and the equal protection of the law.
55. Defendants have no compelling state interest in failing to comply with S.C. Code Ann. § 7-9-40, thereby permitting non-Club members to vote in a primary. In addition, the Defendants’ conduct is not narrowly tailored to serve any compelling government interest.

**FOR A FIRST CAUSE OF ACTION
(VIOLATION OF PLAINTIFFS' RIGHT OF FREE ASSOCIATION)**

56. Plaintiffs hereby reiterate and adopt each and every allegation in the preceding paragraphs numbered 1 through 55.
 57. The Right of Free Association guaranteed by the First Amendment to the United States Constitution, in conjunction with the Fourteenth Amendment, prohibits the Defendants from abridging the Plaintiffs' right of free association.
 58. S.C. Code Sections 7-5-420, 7-5-610, 7-11-30, 7-13-15, 7-15-320, and 7-15-395, on their face and as applied, create an unconstitutional abridgement of the Plaintiffs' right of free association.
 59. There is no compelling government interest sufficient to justify the Defendants' actions in applying the Code Sections to the Plaintiffs.
 60. The Code Sections, on their face and as applied, are not narrowly tailored to serve any compelling government interest.
 61. The Plaintiffs have no adequate remedy at law to correct the continuing deprivation of their most cherished constitutional rights.
 62. Defendants either know, or should know, that the Code Sections are a blatant violation of the Plaintiffs' constitutional rights.
 63. As a direct and proximate result of the Defendants' continuing violations of the Plaintiffs' rights, the Plaintiffs have in the past and will continue to suffer in the future, direct and consequential damages, including but not limited to, the loss of the ability to exercise their constitutional rights.
- WHEREFORE, Plaintiffs respectfully pray that the Court grant the declaratory and permanent injunctive relief set forth herein and issue an

Order enjoining the Defendants from enforcing the referenced Code Sections.

**FOR A SECOND CAUSE OF ACTION
(VIOLATION OF PLAINTIFFS' RIGHT OF EQUAL PROTECTION)**

64. Plaintiffs hereby reiterate and adopt each and every allegation in the preceding paragraphs numbered 1 through 63.
65. Plaintiffs' right to equal protection under the laws is protected by the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.
66. S.C. Code Sections 7-5-420, 7-5-610, 7-11-30, 7-13-15, 7-15-320, and 7-15-395, on their face and as applied, are an unconstitutional abridgement of the Plaintiffs' right to equal protection of the laws.
67. The Code Sections, on their face and as applied, discriminate between the Parties, which are required to pass a motion to nominate by convention by a three-fourths supermajority vote, versus other corporations, partnerships and non-profit organizations which are allowed to pass a motion with a mere majority vote.
68. The Code Sections, on their face and as applied, discriminate between Greenville County registered electors (Plaintiff Haddon) who can only vote in an open primary conducted by the government, versus Greenville County registered electors (Plaintiff Mitchell) who live in the City of Greenville, who can vote in a municipal primary conducted by the Greenville County Republican Party.

69. The Code Sections, on their face and as applied, discriminate between Greenville County residents (Plaintiff Haddon) who can only run as a candidate in an open primary conducted by the government, versus Greenville County residents (Plaintiff Mitchell) who live in the City of Greenville, who can run as a candidate in a municipal election in a municipal primary conducted by the Greenville County Republican Party.
70. The Code Sections, on their face and as applied, discriminate between the Greenville County Republican Party, which is required by law to fund the City of Greenville primaries, versus other political parties in other counties which do not have to fund any primaries because no municipality in the county holds partisan elections.
71. There is no compelling government interest sufficient to justify the Defendants' actions in applying the Code Sections to the Plaintiffs.
72. The Code Sections, on their face and as applied, are not narrowly tailored to serve any compelling government interest.
73. The Defendants, in violation of the Equal Protection Clause, have caused, and will continue to cause, the Plaintiffs to suffer undue and actual hardship and irreparable injury.
74. The Plaintiffs have no adequate remedy at law to correct the continuing deprivation of their most cherished constitutional rights.
75. Defendants either know, or should know, that the Code Sections are a blatant violation of the Plaintiffs' constitutional rights.
76. As a direct and proximate result of the Defendants' continuing violations of the Plaintiffs' rights, the Plaintiffs have in the past and will continue to

suffer in the future, direct and consequential damages, including but not limited to, the loss of the ability to exercise their constitutional rights.

WHEREFORE, Plaintiffs respectfully pray that the Court grant the declaratory and permanent injunctive relief set forth herein and issue an Order enjoining the Defendants from enforcing the referenced Code Sections.

**FOR A THIRD CAUSE OF ACTION
(PERMANENT INJUNCTIVE RELIEF)**

77. Plaintiffs hereby reiterate and adopt each and every allegation in the preceding paragraphs numbered 1 through 76.
78. Plaintiffs seek permanent injunctive relief enjoining the State of South Carolina and Defendant John H. Hudgens, III, his agents, servants, employees and those acting in active concert and with actual notice thereof, from enforcing S.C. Code Sections, 7-5-420, 7-5-610, 7-11-30, 7-13-15, 7-15-320, and 7-15-395 and from violating the Plaintiffs' First and Fourteenth Amendment rights of free association and the equal protection of the laws as guaranteed in the United States Constitution.
79. As to party primary elections, S.C. Code Ann. § 7-9-40 states, in part, that: "Members of a political party must belong to the club in the voting precinct set forth in their respective registration records... No person may take part in any club meeting, vote in any primary, or be elected a delegate to any county convention except in the club of the voting precinct."
80. Defendants, through the South Carolina State Election Commission, conduct primary elections for federal office, statewide office, countywide

and less than countywide office, and for the offices for the state Senate and the state House of Representatives.

81. When the Defendants conduct the primary elections for the Republican Parties, they allow persons who are not members of the respective Republican Party Clubs in the precinct to vote in the Parties' primary, in violation of S.C. Code Ann. § 7-9-40.
82. When the Defendants conduct the Republican Parties' primary elections in the Lakeview precinct, they allow persons who are not members of the Lakeview Club of the Greenville County Republican Party to vote in the Republican Party primary election.
83. When the Defendants conduct the Republican Parties' primary elections in the Greenville 16 precinct, they allow persons who are not members of the Greenville 16 Club of the Greenville County Republican Party to vote in the Republican primary election.
84. The failure of the Defendants to comply with S.C. Code Ann. § 7-9-40, and thus permit non-Club members to vote in a primary, infringes on the Plaintiffs' rights of free association and the equal protection of the law.
85. Defendants have no compelling state interest in failing to comply with S.C. Code Ann. § 7-9-40 and thereby permit non-Club members to vote in Republican Party primaries.
86. Defendants' conduct is not narrowly tailored to serve any compelling government interest.

87. Plaintiffs pray for permanent injunctive relief ordering Defendants and their agents, servants, and employees to comply with the provisions of S.C. Code Ann. § 7-9-40.
88. Plaintiffs currently suffer from the denial of rights guaranteed by the United States Constitution because of the Code Sections and Defendants' policies, customs, and practices.
89. Plaintiffs have no adequate remedy at law at this time to correct the continuing deprivations of their most cherished constitutional liberties.
90. Defendants have caused the Plaintiffs to suffer, and they continue to suffer, irreparable harm, damage and injury. Plaintiffs will continue to suffer such damages unless the Defendants' Code Sections, policies, customs and practices complained of are enjoined.

WHEREFORE, Plaintiffs respectfully pray that the Court grant the permanent injunctive relief set forth herein.

**FOR A FOURTH CAUSE OF ACTION
(DECLARATORY RELIEF)**

91. Plaintiffs hereby reiterate and adopt each and every allegation in the preceding paragraphs numbered 1 through 90.
92. An actual controversy has arisen between Plaintiffs and Defendants in that Plaintiffs contend that, as a direct and proximate result of Defendant State of South Carolina's Code Sections and Defendant Hudgens' policies, customs and practices, Plaintiffs have been harmed because Defendants' Code Sections, policies, customs, and practices are hostile to the United States Constitution as it pertains to primary elections.

93. Plaintiffs desire a judicial determination of the parties' rights and duties under the United States Constitution and a judicial declaration that S.C. Code Sections 7-5-420, 7-5-610, 7-11-30, 7-13-15, 7-15-320, and 7-15-395, are unconstitutional as a direct violation of the First and Fourteenth Amendments to the United States Constitution.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment as follows:

- A. That this Court issue a Permanent Injunction, enjoining the Defendants, Defendants' officers, agents, employees and all other persons acting in active concert with them, from enforcing S.C. Code Sections 7-5-420, 7-5-610, 7-11-30, 7-13-15, 7-15-320, and 7-15-395 against the Plaintiffs;
- B. That this Court render a Declaratory Judgment declaring S.C. Code Sections 7-5-420, 7-5-610, 7-11-30, 7-13-15, 7-15-320, and 7-15-395 unconstitutional under the United States Constitution, on their face and as applied to the Plaintiffs;
- C. That this Court issue a Permanent Injunction enjoining Defendants and their officers, agents, employees and all other persons acting in active concert with them, from violating the provisions of S.C. Code Ann. § 7-9-40;
- D. That this Court adjudge, decree and declare the rights and other legal relations of the parties, in order that such declaration shall have the force and effect of final judgment;
- E. That this Court retain jurisdiction of this matter for purpose of enforcing this Court's order;

F. That this Court award Plaintiffs the reasonable attorneys' fees, costs, and expenses of this action in accordance with 42 U.S.C. § 1988; and

G. That this Court grant such other and further relief as this Court deems equitable and just under the circumstances.

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[Signature Page Continues ...]

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