

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION**

JOSHUA BREGY,

Plaintiff,

v.

BOARD OF TRUSTEES OF CLEMSON
UNIVERSITY; ROBERT JONES, in his
individual and official capacity as provost of
Clemson University; JAMES CLEMENTS, in his
individual and official capacity as president of
Clemson University; KIM WILKERSON, in her
individual and official capacity as Chair of the
Clemson Board of Trustees; JOHN MCCARTER
JR., DAVID DUKES, NIKKI HALEY, RONALD
LEE, LOUIS LYNN, PATRICIA MCABEE,
SMYTH MCKISSICK, ROBERT PEELER, CHERI
PHYFER, MARK RICHARDSON, WILLIAM
SMITH JR., and JOSEPH SWANN, in their
individual and official capacities as members
of the Clemson Board of Trustees,

Defendants.

Case No.

Complaint and Jury Demand

Plaintiff Dr. Joshua Bregy, by and through undersigned counsel, brings forth this
Complaint and Jury Demand and alleges as follows:

PRELIMINARY STATEMENT

1. Dr. Joshua Bregy, an Assistant Professor in the Department of Environmental
Engineering and Earth Sciences at Clemson University, was fired for a personal Facebook post
about Charlie Kirk's assassination. Because the firing violated Dr. Bregy's clearly established

First Amendment right to speak out on matters of public importance, he is entitled to equitable relief and damages.

2. There is no question that Plaintiff was fired for engaging in protected speech. In the wake of Charlie Kirk's assassination, and amidst the tumultuous national debate about Kirk's legacy, Plaintiff reposted this message from his personal Facebook account:

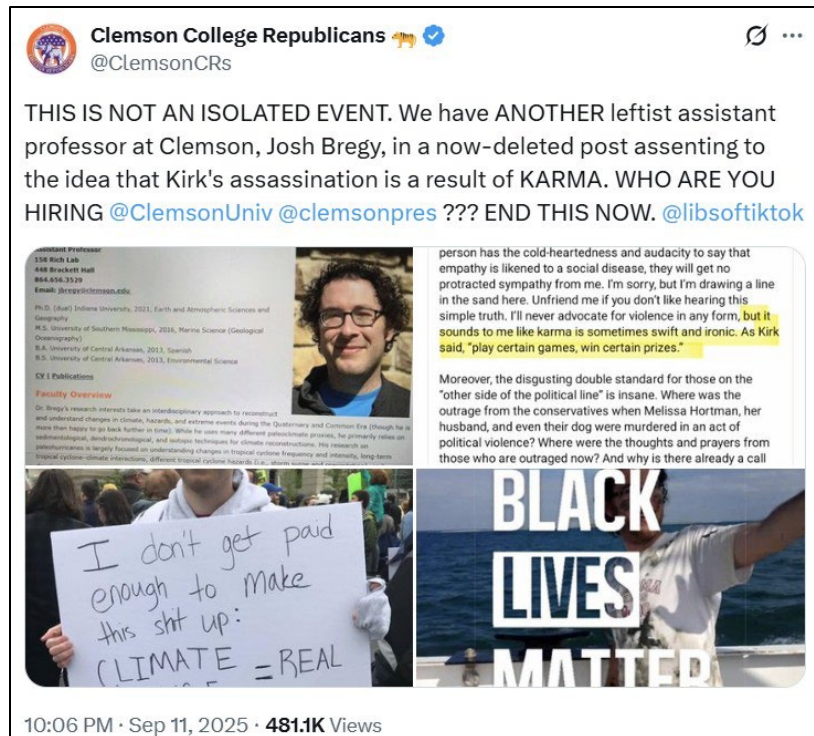
Let me preface this post by saying that violence is never okay and as much as I dislike someone and their cruel ideas, I would never want their life to be taken in an act of violence. Democracy should be built on ideas, not force. But I AM going to say this: If anyone thinks that a reasonable price for the second amendment is countless innocent lives, and then that person has the cold-heartedness and audacity to say that empathy is likened to a social disease, they will get no protracted sympathy from me. Unfriend me if you don't like hearing this simple truth. I'll never advocate for violence in any form, but it sounds to me like karma is sometimes swift and ironic. As Kirk said, "play certain games, win certain prizes."

Moreover, the disgusting double standard for those on the "other side of the political line" is insane. Where was the outrage from the conservatives when Melissa Hortman, her husband, and even their dog was murdered in an act of political violence? Where were the thoughts and prayers from those who are outraged now? And why is there already a call from certain conservatives for retribution and violence? Doesn't that say too much about what cruelty awaits in their vengeance?

Maybe you think I'm cruel too, but I'll say this also – I truly grieve for Kirk's family and friends. No one deserves to go through tragic loss like that. No one should be gunned down – not a school child, not an influencer, not a politician – no one. But am I going to allow people to make a martyr out of a flawed human being whose rhetoric caused notable damage? Not a chance.

3. Initially, the post drew no significant attention. In fact, even a few hours later, there was no evidence that it had upset anyone.

4. That changed later in the evening. Sometime after Dr. Bregy removed the post from public view, the Clemson College Republicans reposted a portion of the message with a call for Clemson to fire Dr. Bregy, who they described as “ANOTHER leftist professor.”



5. A firestorm ensued. Grieving conservatives called for retribution. Lawmakers like Thomas Beach, April Cromer, and others threatened to defund Clemson unless it fired Dr. Bregy. The Speaker of the House, Murrell Smith, and the President of the Senate, Thomas Alexander, sent a letter on official stationery demanding that the Board of Trustees take “immediate and appropriate action.”

6. A few days later, Clemson caved. On September 15, only hours after the University promised an individualized investigation into Dr. Bregy’s and another professor’s posts, Defendant Jones called Dr. Bregy to fire him.

7. Defendants cannot justify their decision to fire Dr. Bregy for his personal, political speech.

8. There is no evidence that Dr. Bregy's Facebook post undermined, disrupted, or even implicated his duties *at Clemson*. Faculty members report that Dr. Bregy's termination (not his post) sent shockwaves through the faculty, triggered an emergency meeting of the faculty senate, and fractured the faculty's trust and confidence in the Provost, University President, and Board of Trustees. Students report being "sickened" by the decision and "very sad" about no longer having Dr. Bregy as a teacher.

9. External pressure—not internal disruption—provoked Defendants' action. But however challenging it must have been for Clemson to confront bullying legislators or the online mob and its 280-character pitchforks, the First Amendment does not credit Clemson's impulse to capitulate as a "legitimate" interest. The Constitution requires a stronger spine than that.

PARTIES

10. **Plaintiff Dr. Joshua Bregy** is a resident of Greenville, South Carolina. From January 2023 until September 2025, Dr. Bregy was an Assistant Professor in the Department of Environmental Engineering and Earth Sciences at Clemson University.

11. **Defendant James Clements** is the President of Clemson University. He is sued in his individual and official capacity.

12. **Defendant Robert Jones** is the Executive Vice President for Academic Affairs and Provost of Clemson University. He is sued in his individual and official capacity. "Provost Jones works closely with the President and Board of Trustees on major institutional priorities. He has responsibility for all facets of undergraduate and graduate education, academic support programs, outreach, and research at over 170 sites across the state[.]"¹

13. **Defendant Board of Trustees of Clemson University** exercises "management and control" over Clemson University. S.C. Code Ann. § 59-119-40. The Board "prescribe[s] the course of study, declare[s] the professorships, elect[s] the professors and define[s] their duties

¹ *Office of the Provost*, Clemson (last accessed Oct. 3, 2025), <https://www.clemson.edu/provost/leadership/meet-provost-jones.html>.

and fix[es] their salaries and make[s] all rules and regulations for the government of the university.” S.C. Code Ann. § 59-119-50.

14. **Defendant Kim Wilkerson**, is sued in her individual and official capacity as Chair of the Clemson Board of Trustees.

15. **Defendants John McCarter Jr., David Dukes, Nikki Haley, Ronald Lee, Louis Lynn, Patricia McAbee, Smyth McKissick, Robert Peeler, Cheri Phyfer, Mark Richardson, William Smith Jr., and Joseph Swann**, are sued in their individual and official capacities as members of the Clemson Board of Trustees.

JURISDICTION AND VENUE

16. This Court has subject-matter jurisdiction over Count One, which alleges a violation of the First Amendment, under 28 U.S.C. § 1331 because it arises under the United States Constitution and 42 U.S.C. § 1983.

17. The Court has supplemental jurisdiction over Count Two, a state tort claim for wrongful discharge, under 28 U.S.C. § 1367.

18. Venue is proper under 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to the claims occurred in the District of South Carolina and because Defendants reside in this District.

19. Venue is proper in the Anderson Division under Local Civil Rule 3.01 because that is where Defendants reside and where a substantial portion of the events or omissions giving rise to the claims occurred.

FACTS

I. Plaintiff’s Employment

20. Dr. Bregy was hired by Clemson University in 2022 as part of the University’s efforts to expand the research areas covered by the School of Civil and Environmental Engineering (and, more specifically, the Department of Environmental Engineering and Earth Sciences).

21. He started as an Assistant Professor in January 2023 and was, until he was fired, on track to be tenured.

22. Dr. Bregy is a climate scientist and an expert in the reconstruction of hurricane records. He has a dual Ph.D. in Earth and Atmospheric Sciences and Geography from Indiana University and an M.S. in Marine Science, with a special emphasis on Geological Oceanography, from the University of Southern Mississippi.

23. There is no other professor or researcher at Clemson with Dr. Bregy's expertise, and his research is critical to understanding the scale and potential effects of climate change.

24. Dr. Bregy is responsible for conducting research and teaching classes. This semester, Dr. Bregy has been teaching two classes—an undergraduate oceanography course and a mixed graduate/undergraduate course about coastal hazards.

25. Both of Dr. Bregy's courses are new offerings for Clemson. They were each developed and taught by Dr. Bregy and are the only courses of their kind available at the University.

26. Since Dr. Bregy began teaching at Clemson, every available seat in his courses has been filled.

27. Since starting at Clemson, Dr. Bregy has received consistently positive reviews from students and above-average performance reviews from his department chair.

II. Charlie Kirk and his Assassination

28. Charlie Kirk was a conservative activist who, at the age of 18, founded Turning Point USA to organize young people “to restore traditional American values like patriotism, respect for life, liberty, family, and fiscal responsibility.”²

² *About*, Turning Point USA (last accessed Oct. 3, 2025), <https://tpusa.com/about/>.

29. According to Kirk, he “founded Turning Point USA to take the fight for ideological diversity directly to a progressive stronghold: the nation’s leading colleges and universities.”³

30. Kirk was known for expressing his views—including on divisive topics like race, gender, and guns—unapologetically and with overt disdain for “political correctness.” He is known for comments like:

- “We need to have a Nuremberg-style trial for every gender-affirming clinic doctor. We need it immediately.”
- “If I’m dealing with somebody in customer service who’s a moronic Black woman, I wonder is she there because of her excellence, or is she there because of affirmative action?”
- “Reject feminism. Submit to your husband, Taylor [Swift]. You’re not in charge.”
- “Islam is the sword the left is using to slit the throat of America.”
- “I think it’s worth it to have a cost of, unfortunately, some gun deaths every single year so that we can have the second amendment to protect our other God-given rights. That is a prudent deal. It is rational.”
- “I can’t stand the word empathy, actually. I think empathy is a made-up, new-age term that does a lot of damage.”⁴
- Haitians in Alabama “are raping your women and hunting you down at night.”

31. On Wednesday, September 10, 2025, Kirk was shot and killed while speaking at an event at Utah Valley University.

³ Charlie Kirk, *Conservatives Must Fight for Their Voice*, Salisbury Post (July 14, 2019), <https://www.salisburypost.com/2019/07/14/charlie-kirk-conservatives-must-fight-for-voice/>.

⁴ Chris Stein, *Charlie Kirk in His Own Words: ‘Prowling Blacks’ and ‘the Great Replacement Strategy,’* The Guardian (Sept. 11, 2025), <https://www.theguardian.com/us-news/2025/sep/11/charlie-kirk-quotes-beliefs>.

32. Kirk's assassination caused an uproar, especially on social media. Some responses lionized Kirk as a paragon of civil debate, while others recalled speech by Kirk that they deemed harmful and balked at the idea of empathizing with a person who mocked the idea of empathy.

33. As the social media firestorm ignited, conservative groups started identifying and compiling posts by educators and other public employees that were critical of Kirk or that did not demonstrate sufficient sorrow over his death. The posts were then reposted and demonized by political leaders, who called for the employees to be terminated.

III. Plaintiff's Facebook Post About Charlie Kirk

34. Plaintiff has a personal Facebook account.

35. Plaintiff does not use Facebook to interact with current students or university colleagues.

36. Plaintiff's Facebook privacy settings allow only "friends" to view his posts.

37. After news broke about Kirk's death, reactions to it were trending across all major social media platforms. Amidst that discourse, Dr. Bregy reposted another person's Facebook post. The post said:

Let me preface this post by saying that violence is never okay and as much as I dislike someone and their cruel ideas, I would never want their life to be taken in an act of violence. Democracy should be built on ideas, not force. But I AM going to say this: If anyone thinks that a reasonable price for the second amendment is countless innocent lives, and then that person has the cold-heartedness and audacity to say that empathy is likened to a social disease, they will get no protracted sympathy from me. Unfriend me if you don't like hearing this simple truth. I'll never advocate for violence in any form, but it sounds to me like karma is sometimes swift and ironic. As Kirk said, "play certain games, win certain prizes."

Moreover, the disgusting double standard for those on the "other side of the political line" is insane. Where was the outrage from the conservatives when Melissa Hortman, her husband, and even their dog was murdered in an act of political violence? Where were the thoughts and prayers from those who are outraged now? And why is there already a call from certain conservatives for retribution and

violence? Doesn't that say too much about what cruelty awaits in their vengeance?

Maybe you think I'm cruel too, but I'll say this also – I truly grieve for Kirk's family and friends. No one deserves to go through tragic loss like that. No one should be gunned down – not a school child, not an influencer, not a politician – no one. But am I going to allow people to make a martyr out of a flawed human being whose rhetoric caused notable damage? Not a chance.

38. Because the original post was “public,” Dr. Bregy's repost was similarly visible to all Facebook users.

39. A few hours later, Plaintiff made the post private. The next morning, at the behest of the University, he deleted the post entirely.

40. Sometime after the post was removed from view, the Clemson College Republicans twitter account (@ClemsonCRs) reposted Dr. Bregy's post.

41. @ClemsonCRs described Dr. Bregy as “ANOTHER leftist assistant professor” and, along with reposting the deleted post about Charlie Kirk, also attached two of Plaintiff's older photographs—one about climate change being real, and one with a “Black Lives Matter” banner. Those pictures were publicly accessible because they had been previously used as profile pictures.

42. @ClemsonCRs argued that Dr. Bregy's “now deleted” post “assent[ed] to the idea that Kirk's assassination is a result of KARMA,” tagged @LibsofTikTok, @ClemsonUniv, and @clemsonpres, and called for Dr. Bregy's termination.

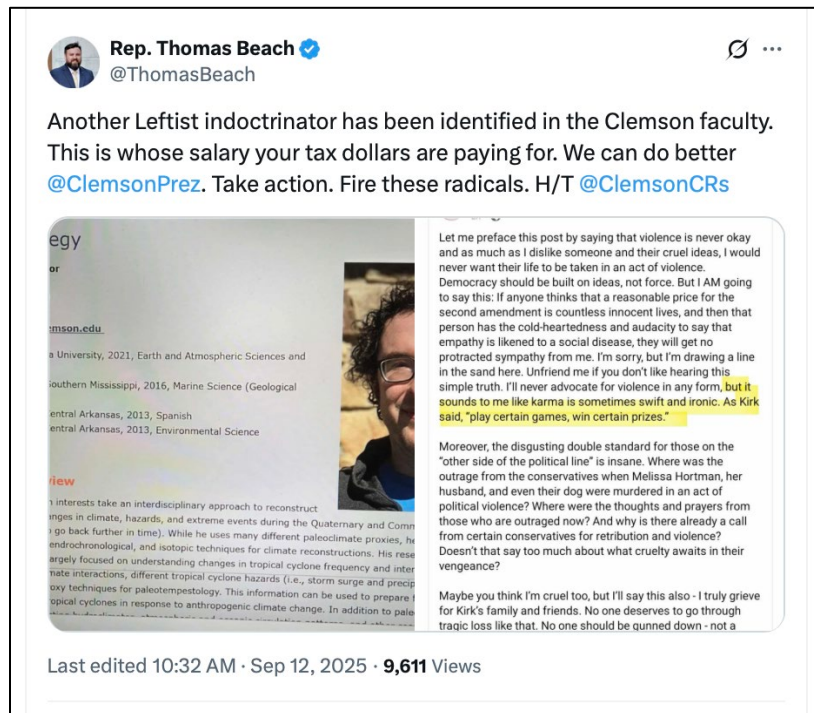
43. In addition to Dr. Bregy, conservatives also called on Clemson to fire Dr. Melvin Villaver for a set of twitter posts that refused to glorify Kirk's life or mourn his death.

IV. Lawmakers' Outrage about Plaintiff's Speech

44. Posts by @clemsonCRs and subsequent post by @libsoftiktok loosed an internet mob against Dr. Bregy, Dr. Villaver, and Clemson University.

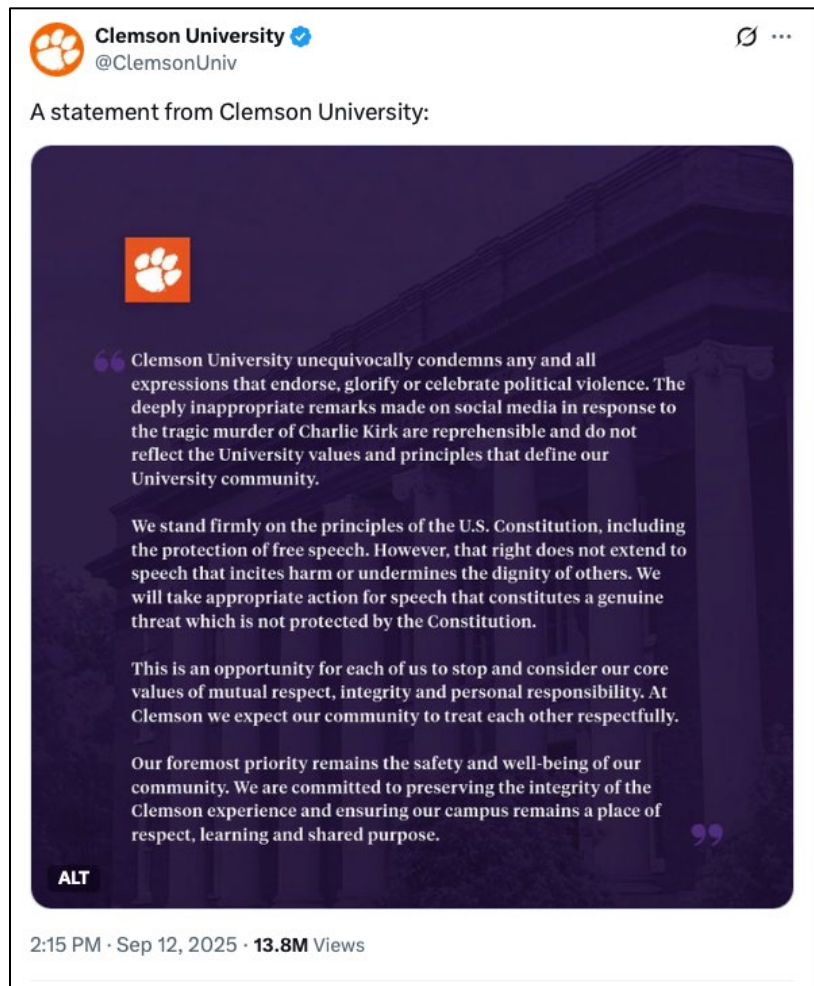
45. By the next day, certain lawmakers had started reposting Dr. Bregy's post and pressuring the University to take action.

46. Representative Thomas Beach, for example, named Dr. Bregy specifically, labeling him a "Leftist indoctrinator" and a "radical" and calling on Clemson to "Take action" and "Fire" him.

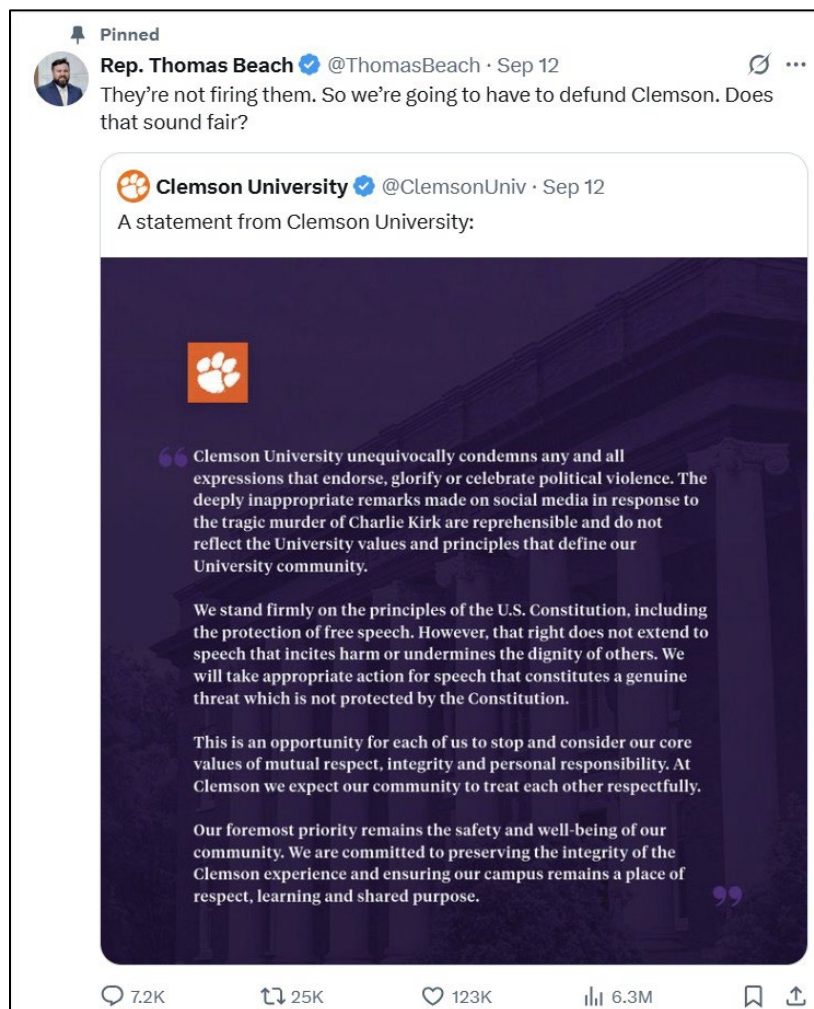


47. As a result, the post—which initially only reached a few hundred of Dr. Bregy’s friends—was reposted across every platform by accounts that are followed by millions of users.

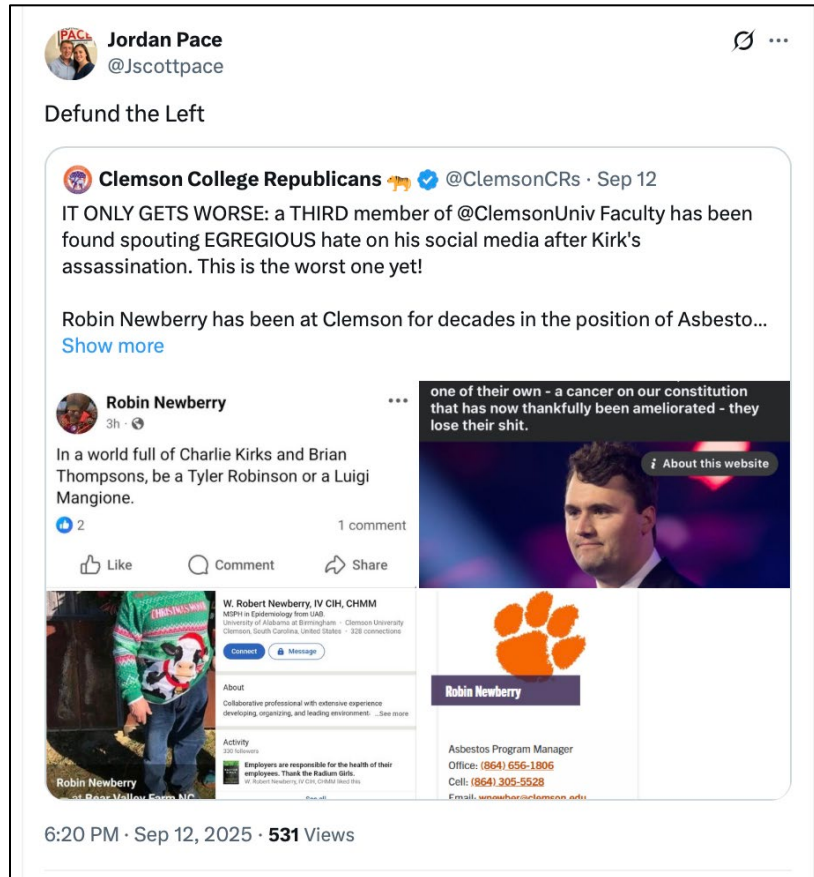
48. Clemson initially responded on September 12 by issuing a public statement that extolled “mutual respect, integrity, and personal responsibility” but announced that the University “stand[s] firmly on the principles of the U.S. Constitution, including the protection of free speech.”



49. That post only invigorated lawmakers' calls for retribution. Representatives Thomas Beach and April Cromer, in particular, sent out a torrent of tweets urging Clemson to fire Dr. Bregy and others they deemed unfit:



50. Representative Jordan Pace, leader of the South Carolina Freedom Caucus, cited the employees' perceived political beliefs specifically, calling on Clemson to "Defund the Left."



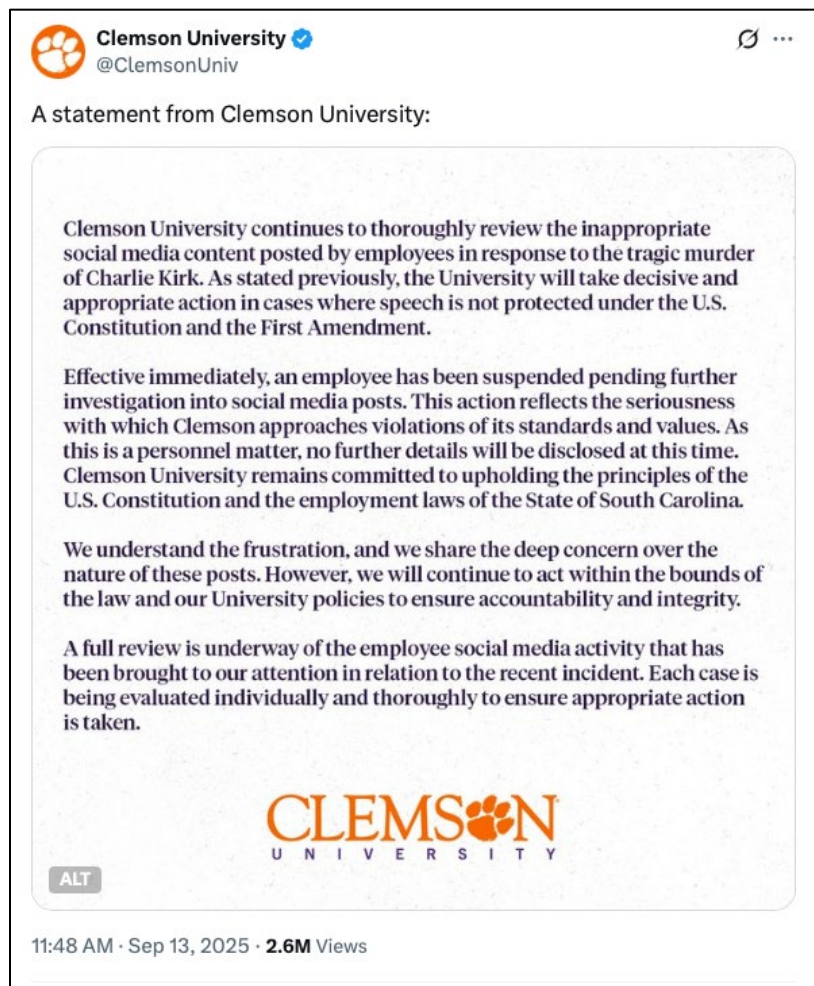
51. The threats were not empty. Representative Cromer stated that the legislature “should be able to come in, be called back into special session next week and make sure that our students are taken care of. And what gets people’s attention the most is money. So when you start taking their money away, they start listening and can be persuaded to do the right thing.”⁵

52. The next day, September 13, the President of the South Carolina State Senate, Speaker of the South Carolina House of Representatives, Chairman of Finance for the South Carolina Senate, and Chairman of Ways and Means for the South Carolina House of Representatives sent a letter on official stationery to the Clemson University Board of Trustees

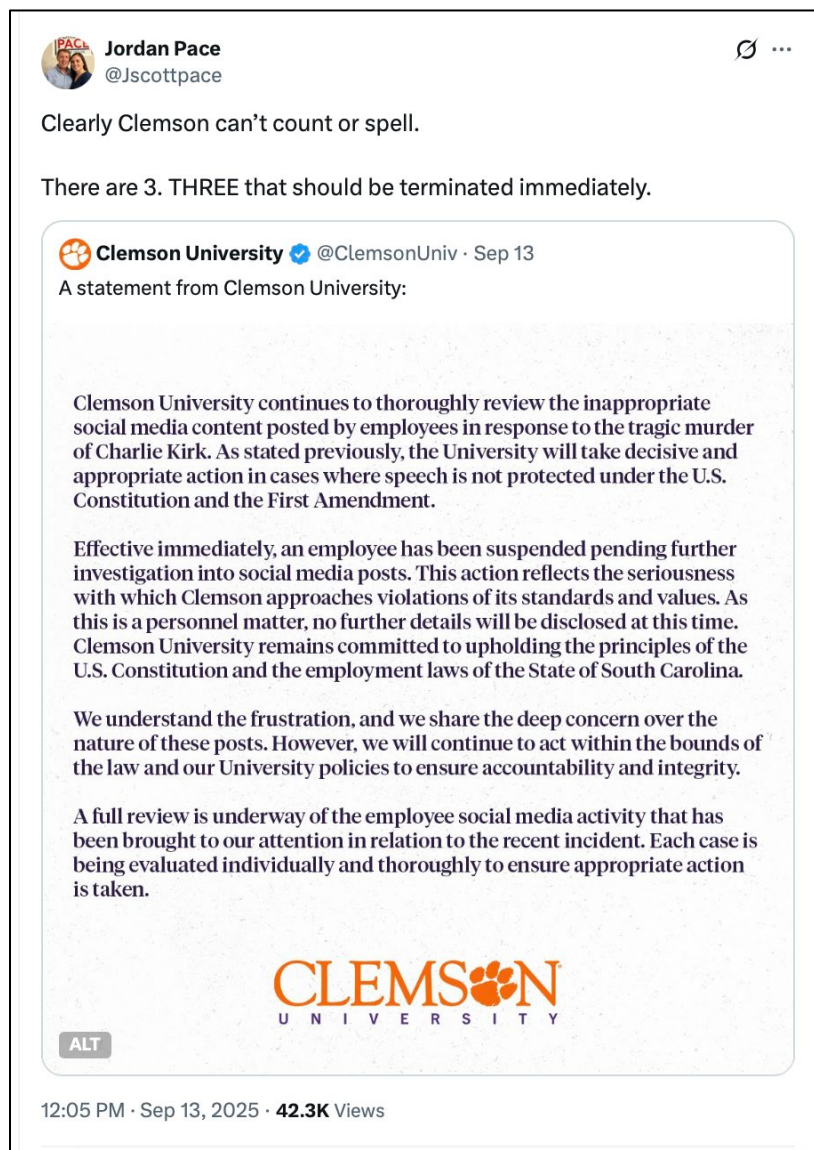
⁵ @DoughertyJC, X [Twitter] (Sept. 12, 2025), <https://tinyurl.com/35u7zpxd>.

“urg[ing]” them to “take immediate and appropriate action . . . to ensure the University and its employees maintain the trust and confidence of South Carolinians.” The choice of signatories and their corresponding legislative authority and control over Clemson’s budget made the letter’s message inescapably clear: fire Joshua Bregy and Melvin Villaver, or we will cut Clemson’s funding.

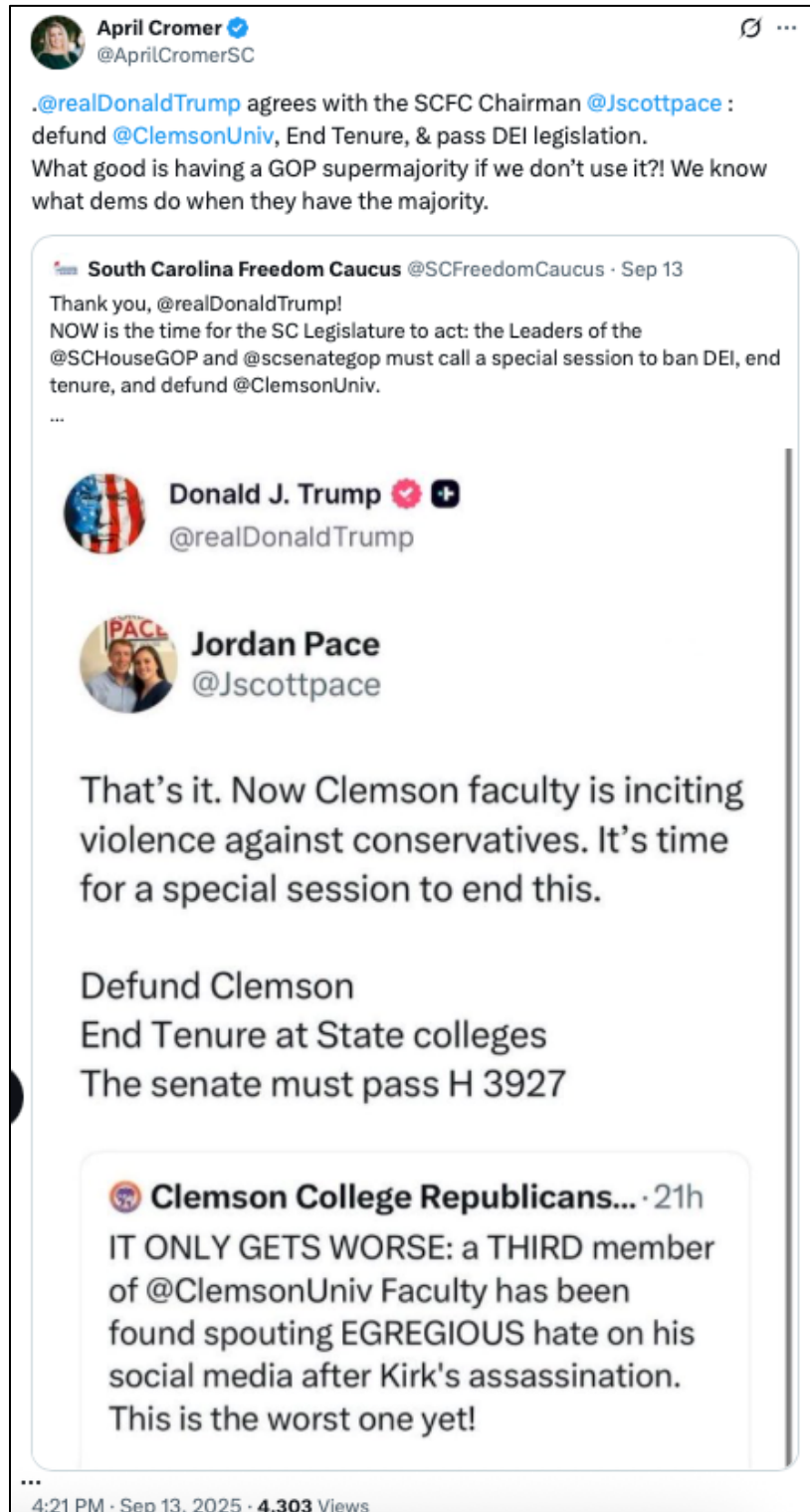
53. At 11:48 AM, Clemson University issued another statement, this time promising a “full review . . . of the social media activity that has been brought to our attention,” and promising that “[e]ach case is being evaluated individually.”



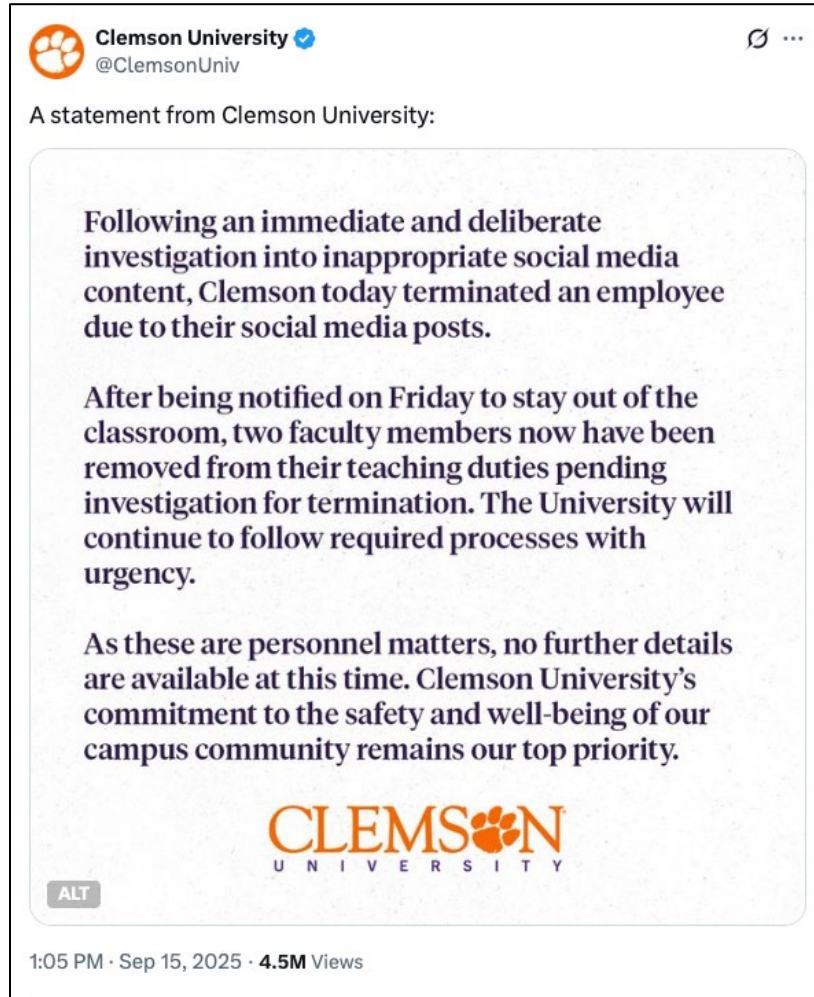
54. The University's response again failed to placate the online mob.



55. Representative Cromer continued to post repeatedly, insisting that the legislature defund Clemson and asking, “[w]hat good is having a GOP supermajority if we don’t use it?!”



56. On September 15, the University issued a third statement, indicating that two faculty members had been removed from duties pending further investigation.



57. The Majority Leader of the South Carolina House GOP, Davey Hiott, celebrated the first employee's firing and vowed to "deal with how Clemson faltered on this issue":



V. Clemson's Commitment to Free Speech

58. Clemson purports to prioritize freedom of speech and expression. On February 3, 2023, the Clemson University Board of Trustees unanimously adopted a resolution committing the University to protecting and upholding “free speech, expression, and inquiry.”⁶

59. That statement formally adopted the core principles articulated in the “Report of the Committee on Freedom of Expression” at the University of Chicago, which “guarantees all members of the University community the broadest possible latitude to speak, write, listen, challenge, and learn.”⁷ The Report powerfully concludes that “it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive,” and warns that “concerns about civility and mutual respect can *never* be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community.”

VI. No Evidence of Internal Disruption

60. Based on information and belief, Clemson did not contact or consult with any of Dr. Bregy's students or colleagues regarding the impact, if any, of his Facebook post.

61. Between the time of @ClemsonCRs repost and Dr. Bregy's ultimate termination, none of Dr. Bregy's work responsibilities were impaired or disrupted.

62. On Friday, September 12, Dr. Bregy attended his normal meetings.

63. At 1:30pm, he attended the weekly faculty meeting led by department chair Debora Rodrigues. Nothing about the meeting was out of the ordinary.

64. At 2:30pm, Dr. Bregy met with his faculty advisors—Brian Powell and Alex Pullen. The three men discussed Dr. Bregy's Facebook post and the University's likely reaction.

⁶ *Clemson University Statement on Freedom of Speech*, Clemson (last accessed Oct. 3, 2025), <https://www.clemson.edu/administration/bot/about/free-speech-statement.html>.

⁷ *Report on the Committee of Free Expression*, University of Chicago (last accessed Oct. 3, 2025), <https://tinyurl.com/bdfz35fb>.

65. Powell and Pullen were not offended or troubled by the Facebook post and offered encouragement to Plaintiff. Powell and Pullen told Plaintiff that they thought the whole thing would “blow over” by Tuesday.

66. A member of the Clemson College Republicans who is also student of Dr. Bregy’s even reached out to Dr. Bregy by email to explain that he opposed the views expressed in the Facebook post but still thought it would be wrong if he got in trouble for his speech.

67. Plaintiff told Defendant Jones about that email.

VII. Plaintiff’s Dismissal “for-cause”

68. On September 15, 2025, Defendants decided to fire Dr. Bregy.

69. Defendant Jones delivered the news on a short, 5-minute-long telephone call.

70. During the call, Defendant Jones lauded Dr. Bregy’s teaching skills, calling him “a great teacher,” and commending him for being “sincere too in [his] philosophies.” Defendant Jones said he was “sorry” and “regretted” the action he was taking.

71. At 8:08 AM the following day, Tuesday, September 16, staff in Defendant Jones’s office created the Word document that would become Dr. Bregy’s termination letter.

72. The document was edited for five minutes.

73. At 8:33 AM, less than 24 hours after Clemson announced Dr. Bregy was under investigation, Defendant Jones sent Dr. Bregy a termination letter.

74. The letter informed Dr. Bregy that his “dismissal [wa]s effective September 15, 2025,” and was “based on [his] blatantly unprofessional conduct and conduct seriously prejudicial to the University.”

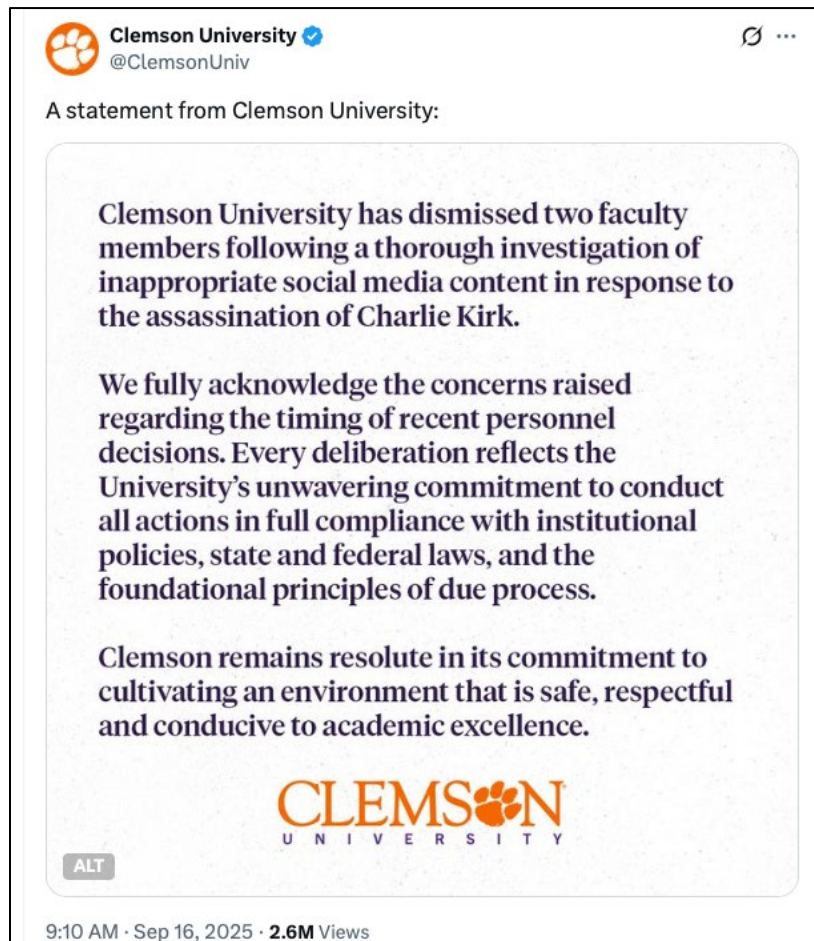
75. Specifically, the letter indicated Dr. Bregy’s

dismissal [wa]s a result of the following misconduct: In the aftermath of Charlie Kirk’s murder . . . you reposted to your social media account the following: ‘Unfriend me if you don’t like hearing this simple truth. I’ll never advocate for violence in any form, but it sounds to me like karma is sometimes swift and ironic. As Kirk said, ‘play certain games, win certain prizes.’”

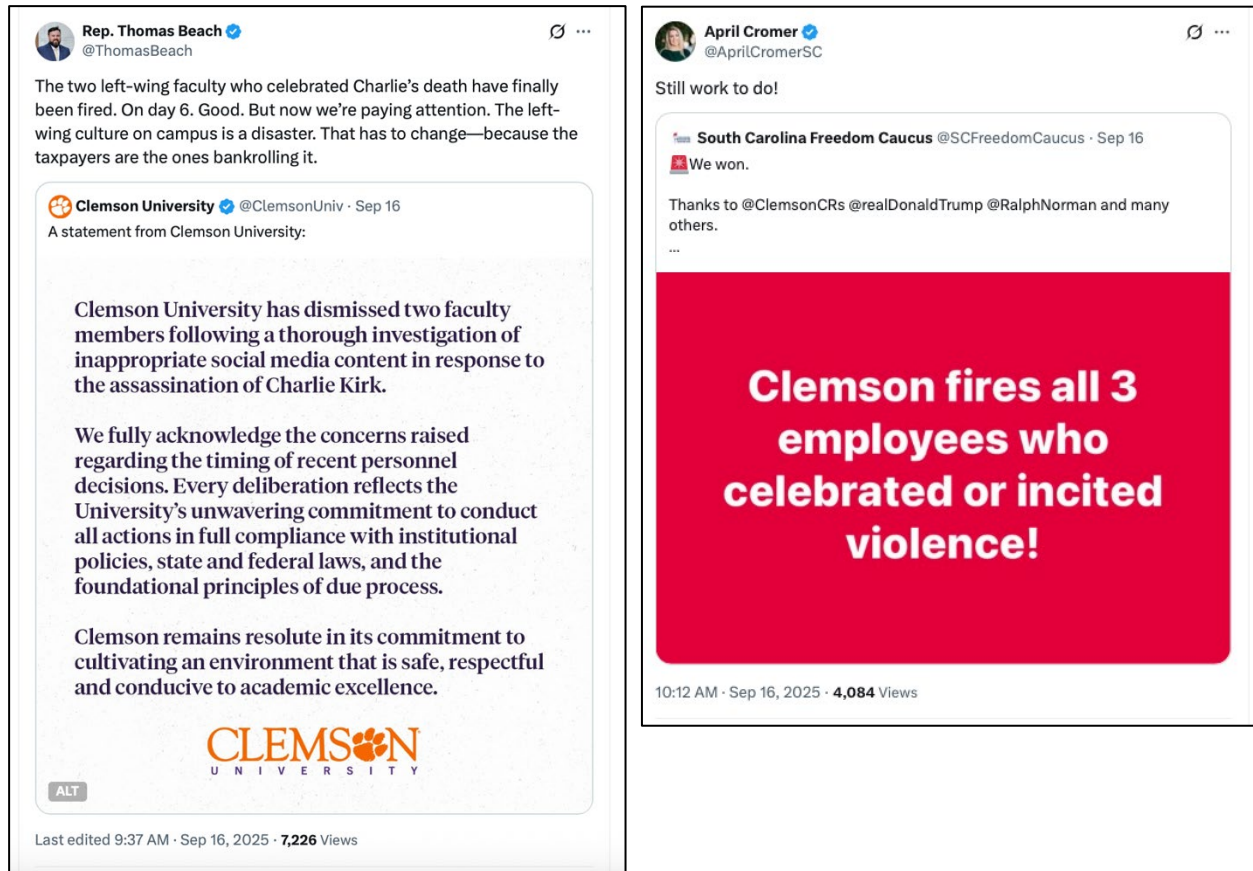
76. Dr. Jones further wrote, “[a]s I told you when we met to discuss this matter, your social media repost regarding this murder very soon after it occurred was irresponsible and unprofessional. You did not show due restraint or respect, and you made no effort when you reposted to state that your views did not represent the views of Clemson University.”

77. Defendant Jones claimed that Dr. Bregy’s post had “irretrievably jeopardized [his] ability to serve as an intellectual guide and counselor to students” and undermined his “professional fitness to continue to serve as a faculty member and . . . ability to be effective in the classroom.”

78. Less than an hour later, at 9:10 AM, the University publicly announced its decision to fire both Dr. Bregy and Dr. Villaver.



79. Lawmakers including Representatives Cromer and Beach celebrated their own role in coercing Clemson to fire the professors.



VIII. Clemson Faculty and Student Response

80. Students and faculty in the Department of Environmental Engineering and Earth Sciences strongly oppose Dr. Bregy's termination.

81. Dr. David Freedman, a long-tenured Clemson professor and previous chair of the Department, spoke to many of his colleagues about Dr. Bregy's Facebook post. According to Dr. Freedman, no one expressed any desire for Dr. Bregy to be reprimanded in any way—much less fired.

82. Multiple students have reached out to Dr. Bregy to lament his dismissal and to offer support.

83. For example, one student from Dr. Bregy's undergraduate oceanography class reached out to him on Facebook to say:

I am very sorry about what happened to you at Clemson, I appreciate the way that you are trying to make the world a better place, and I am very sad that my time as your student has been cut short. I think that you are very brave and I hope that you continue to speak out for what is right.

84. The student was not "friends" with Dr. Bregy on Facebook, but the platform allows users to send private messages to anyone.

85. A Clemson alumnus started a GoFundMe for Dr. Bregy that has already raised more than \$12,000.

86. Many Clemson students, faculty, and staff have donated to that fundraiser to express their support for Dr. Bregy.

87. A few individuals even wrote notes of support on Dr. Bregy's GoFundMe page.

88. Professor Christopher Parkinson, the Director of the Bioinformatics and Genomics Facility at Clemson, made a donation and posted: "Stand up for free speech and our students!!!"

89. One former student, along with their donation, wrote: "I believe in my undergraduate research advisor to succeed and defend himself!"

90. Yet another student messaged the person who started the GoFundMe page and asked them to forward the following message to Dr. Bregy:

You have been on my mind ever since I walked into class on Tuesday to find the classroom empty. I loved your class and your enthusiasm for teaching. I was sickened by what I see as a wrongful and unfair action against you. I am so glad to see that this fund has been created for your defense.

91. Plaintiff received lots of hateful messages online, but none were from students, faculty, or university staff.

92. Except for the phone call with Defendant Jones, no one internal to the university expressed that his termination was necessary or appropriate.

IX. Effects on Dr. Bregy

93. Dr. Bregy's dismissal by Clemson University caused profound emotional, psychological, reputational, professional, and monetary harms.

94. His termination has ignited extreme anxiety for which Plaintiff has sought medical treatment.

95. He is no longer receiving a salary or employment benefits from Clemson University.

96. Dr. Bregy was in the process of being reviewed for a prestigious and highly competitive Faculty Early Career Development (CAREER) grant from the U.S. National Science Foundation (NSF). Unless he is reinstated at Clemson where he can continue his research, he might permanently lose out on that opportunity.

97. Being fired "for cause" inflicts a reputational injury that will impede Dr. Bregy's ability to obtain future employment and secure research funding.

CLAIMS FOR RELIEF

Count One

First Amendment Speech Retaliation

98. The allegations in all previous paragraphs are incorporated here.

99. Plaintiff's social media posts about Charlie Kirk were not related to his employment at Clemson University.

100. Plaintiff's social media posts were made in his personal capacity as a citizen and were core political speech.

101. In direct conflict with the University's own assertion that "concerns about civility and mutual respect can *never* be used as a justification for closing off discussion of ideas," Defendants fired Plaintiff exclusively because of the viewpoints contained in his Facebook post.

102. Plaintiff's Facebook post did not disrupt his ability to teach or do research, did not undermine his relationship with his colleagues or supervisors, and did not otherwise create a material disruption within Clemson University.

103. On balance, Plaintiff's right to engage in core political speech as a university professor far outweighs the University's interest in avoiding the ire of a conservative internet mob. To hold otherwise would turn the First Amendment on its head and risk constitutionalizing a heckler's veto.

104. On this claim, Plaintiff seeks declaratory, injunctive, and monetary relief under 42 U.S.C. § 1983. Plaintiff also seeks his attorneys' fees and costs under 42 U.S.C. § 1988.

Count Two
Wrongful Discharge
S.C. Code § 16-17-560

105. The allegations in all previous paragraphs are incorporated here.

106. In South Carolina, an employee has a cause of action in tort for wrongful discharge where there is a "retaliatory discharge of the at-will employee in violation of a clear mandate of public policy." *Ludwick v. This Minute of Carolina, Inc.*, 337 S.E.2d 213, 216 (S.C. 1985).

107. It is a crime "against public policy" to fire any person because of their political speech or beliefs. *Culler v. Blue Ridge Elec. Co-op., Inc.*, 422 S.E.2d 91, 92 (S.C. 1992) (citing S.C. Code § 17-16-560).

108. Under Section 16-17-560, Defendants' decision to fire Plaintiff because of his political beliefs was "against public policy." On this count, Plaintiff seeks equitable and compensatory relief.

RELIEF REQUESTED

- a. Declare that Defendants' dismissal of Plaintiff "for cause" constituted unconstitutional First Amendment retaliation;
- b. Preliminarily and permanently enjoin Defendants' termination decision, fully reinstate Plaintiff's employment at Clemson University, and correct his personnel record to remove any adverse action;
- c. Award back pay and lost benefits;
- d. Award compensatory and punitive damages against individual-capacity defendants under 42 U.S.C. § 1983;
- e. Enter judgment for Plaintiffs and against Defendants;
- f. Award such costs and reasonable attorneys' fees as available by law, including under 42 U.S.C. § 1988; and
- g. Award such other relief as the Court may deem just and appropriate.

- Plaintiff demands a jury trial on all issues so triable -

Dated: October 3, 2025

Respectfully submitted,

/s Allen Chaney

Allen Chaney
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