

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

Lynn Teague, in her individual capacity;
League of Women Voters of South
Carolina,

Case No.: _____

Plaintiffs,

v.

SUMMONS
(Declaratory and Injunctive Relief Pursuant to
the
South Carolina Freedom of Information Act)

The House Legislative Rules Committee
of the South Carolina House of
Representatives; the Honorable Micajah
P. "Micah" Caskey, IV, in his official
capacity as Chairman of the House
Legislative Rules Committee; and
Speaker G. Murrell Smith, Jr., in his
official capacity as Speaker of the South
Carolina House of Representatives

Defendants.

TO THE DEFENDANTS ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Verified Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your Answer to the said Verified Complaint on the subscriber at the address shown below, within thirty (30) days after the service hereof, exclusive of the day of such service, and if you fail to answer the Verified Complaint within the time aforesaid, the Plaintiffs in this action will apply to the Court for the relief demanded in said Verified Complaint.

Plaintiffs additionally advise that they have contemporaneously filed a Motion for Temporary Restraining Order and Preliminary Injunction and Memorandum in Support, seeking emergency relief pursuant to the South Carolina Freedom of Information Act, S.C. Code Ann. § 30-4-10, et seq., and Rule 65, S.C.R.C.P. Pursuant to S.C. Code Ann. § 30-4-100(A), the chief administrative judge of the circuit court must schedule an initial hearing within ten (10) days of service on all parties.

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

Lynn Shuler Teague, in her individual capacity; The League of Women Voters of the Columbia Area, Inc.; Jace Woodrum, in his individual capacity; and the American Civil Liberties Union of South Carolina, Inc.,

Case No.: _____

Plaintiffs,

VERIFIED COMPLAINT
(Declaratory and Injunctive Relief
Pursuant to the
South Carolina
Freedom of Information Act)

v.

The Rules Committee of the South Carolina House of Representatives; the Honorable Micajah P. "Micah" Caskey, IV, in his official capacity as Chairman of the House Legislative Rules Committee; and Speaker G. Murrell Smith, Jr., in his official capacity as Speaker of the South Carolina House of Representatives,

Defendants.

Plaintiffs Lynn Shuler Teague ("Ms. Teague"), the League of Women Voters of South Carolina ("LWVSC"), Jace Woodrum ("Mr. Woodrum"), and the American Civil Liberties Union of South Carolina ("ACLU-SC") (collectively, "Plaintiffs"), by and through their undersigned counsel, complaining of Defendants the Rules Committee of the South Carolina House of Representatives ("the Rules Committee"), the Honorable Micajah P. "Micah" Caskey, IV, in his official capacity as Chairman of the Committee ("Chairman Caskey"), and Speaker G. Murrell Smith, Jr., in his official capacity as Speaker of the

South Carolina House of Representatives (“Speaker Smith”) (collectively, “Defendants”), would respectfully show unto this honorable Court as follows:

NATURE OF THE ACTION

1. This action arises from Defendants’ violation of the South Carolina Freedom of Information Act ("FOIA"), S.C. Code Ann. § 30-4-10, et seq., in connection with a meeting of the Rules Committee held on the evening of May 18, 2026.

2. The Rules Committee posted notice of the May 18, 2026, meeting at approximately 7:07 PM for a meeting scheduled to begin at 7:15 PM that same evening, providing only approximately eight minutes of notice to the public.

3. FOIA requires that an agenda for regularly scheduled or special meetings must be posted at least twenty-four hours prior to such meetings and further provides specific notice requirements for legislative committees. S.C. Code Ann. § 30-4-80(A)–(B).

4. The agenda posted for the meeting provided no indication that any vote or final action would be taken, stating only "Discussion of Rules Resolutions." The agenda did not state that the meeting was being convened under emergency circumstances, and it did not reference any emergency or exigent circumstances.

5. At the 7:15 PM meeting, the Committee adopted a Rules Resolution that altered and limited debate on a congressional redistricting bill in the House during the extraordinary session of the General Assembly, limiting each House of Representatives member to a single amendment. Plaintiffs seek declaratory and injunctive relief, as well

as a temporary restraining order, including a declaration that the May 18, 2026 meeting violated FOIA and that any actions taken at that meeting are void and of no legal effect.

6. Plaintiffs also seek declaratory relief rejecting Defendants' publicly stated position that FOIA does not apply to the Committee's meeting procedures. Following the adoption of the Rules Resolution, Representative Joseph M. King, Jr. raised a point of order on the House floor challenging the Committee's failure to provide public notice as required by FOIA. Speaker Smith overruled the point of order, stating from the Chair: "This is a House Rules Committee. This is not a committee for the public, and so it's not required. Internal work of the House is not subject to the FOIA, and so I overrule your point of order."

7. Plaintiffs bring this action pursuant to S.C. Code Ann. § 30-4-100(A), which authorizes a citizen of the State to apply to the circuit court for declaratory judgment, injunctive relief, or both to enforce FOIA, and provides that a violation of FOIA must be considered an irreparable injury for which no adequate remedy at law exists.

PARTIES, JURISDICTION, & VENUE

1. Plaintiff Lynn Shuler Teague is a citizen and resident of South Carolina. Ms. Teague is an advocate for transparent government and fair elections and has a personal and civic interest in monitoring and participating in the legislative process, particularly on matters affecting voting rights and congressional redistricting.

2. Plaintiff League of Women Voters of South Carolina is a nonpartisan, nonprofit civic organization. LWVSC's mission includes encouraging informed and active participation in government, increasing understanding of major public policy issues, and influencing public policy through education and advocacy. LWVSC

regularly monitors legislative proceedings, provides public education regarding election-related legislation, and advocates for transparency and public participation in governmental decision-making. Defendants' conduct has frustrated LWVSC's mission and required it to divert organizational time and resources to address and respond to the effects of Defendants' FOIA violations.

3. Plaintiff Jace Woodrum is a citizen and resident of the State of South Carolina. Mr. Woodrum is an advocate for transparent government and fair elections and has a personal and civic interest in monitoring and participating in the legislative process, particularly on matters affecting voting rights and congressional redistricting.

4. Plaintiff the American Civil Liberties Union of South Carolina is a nonpartisan, nonprofit civic organization headquartered in Columbia, South Carolina, and the state affiliate of the American Civil Liberties Union. ACLU-SC's mission is to defend and advance the civil rights and civil liberties of all South Carolinians through advocacy, litigation, education, and civic mobilization. In furtherance of that mission, ACLU-SC regularly monitors legislative proceedings — including committee meetings — publishes legislative updates, and advocates for transparency, accountability, and voting rights on a nonpartisan basis. Defendants' conduct has directly frustrated ACLU-SC's mission and required ACLU-SC to divert organizational resources from its regular programmatic activities — including legislative monitoring, voting rights advocacy, and direct legal services — to investigate the circumstances of the May 18, 2026 meeting, communicate with the public regarding the FOIA violations, coordinate with counsel, and participate in this litigation. This diversion is ongoing so long as the Rules Resolution adopted at the illegally noticed meeting remains in effect.

5. Defendant Rules Committee of the South Carolina House of Representatives is a standing legislative committee of the South Carolina House of Representatives and is a "public body" as defined in S.C. Code Ann. § 30-4-20(a), as it is a committee of a body supported by and expending public funds, exercising supervision, control, jurisdiction, or advisory power over the rules governing the proceedings of the House of Representatives.

8. Defendant the Honorable Micajah P. "Micah" Caskey, IV, is the Chairman of the House Legislative Rules Committee and is sued herein in his official capacity only. As Chairman, Defendant Caskey bears responsibility for ensuring that the Committee's meetings are properly noticed and conducted in compliance with FOIA.

9. Defendant Speaker Smith is the Speaker of the South Carolina House of Representatives and is sued herein in his official capacity only. Speaker Smith exercises substantial authority over House procedures and the operation of House committees.

6. This Court has jurisdiction over this matter pursuant to S.C. Code Ann. § 30-4-100(A).

10. Venue is proper in the County of Richland pursuant to S.C. Code Ann. § 15-7-30, as the acts and omissions giving rise to this action occurred at the South Carolina State House in Columbia, Richland County, South Carolina.

11. This action is timely filed within one year of the date of the alleged violation as required by S.C. Code Ann. § 30-4-100(A).

FACTUAL ALLEGATIONS

12. The second regular session of the 126th South Carolina General Assembly adjourned *sine die* on May 14, 2026.

13. On the same date, Governor Henry McMaster issued an executive order convening the General Assembly in extraordinary session, including for purposes of addressing congressional redistricting and the state budget.

14. The extraordinary session marked only the second time in twenty-five years that the General Assembly returned by order of the Governor.

15. The special session was called in the wake of the United States Supreme Court's decision in *Louisiana v. Callais*, 608 U.S. ___, Nos. 24-109, 24-110 (U.S. Apr. 29, 2026), and amid intense public interest and controversy surrounding the proposed redrawing of South Carolina's congressional districts — a matter directly affecting the fundamental right to vote and the composition of the State's congressional delegation.

16. As it currently exists, South Carolina's map of congressional districts has been ruled constitutional by the Supreme Court of the United States in its order in *Alexander v. South Carolina State Conference of the NAACP*, 602 U.S. 1 (2024), issued on May 23, 2024.

17. In its order, the Supreme Court of the United States expressly found that the present congressional map is race-neutral, explaining that South Carolina's mapmaker and other legislative staff testified that they did not consider race while drawing the Enacted Plan.

18. The redistricting bill before the House, H. 5683, seeks to redraw the boundaries of South Carolina's seven congressional districts ahead of the 2026 midterm elections.

19. H. 5683 would also delay congressional primaries until August 18, 2026 — approximately one week before early voting was scheduled to open — upending the statewide election process.

20. Statewide primaries for all other offices, including statewide offices, state House seats, and the United States Senate, would remain on the original June 9, 2026 schedule, requiring the State to administer two separate sets of primary elections.

21. The redistricting process in the extraordinary session stood in stark contrast to the redistricting conducted following the 2020 census, which involved more than thirty public hearings held over several months across the State.

22. By comparison, the current proposal received only three House committee hearings before being brought to the floor.

23. At the time the events described herein occurred, more than 10,000 absentee ballots had already been mailed and hundreds had already been cast by overseas and other absentee voters — a concern shared by members of both parties.

24. The special session cost taxpayers at least \$203,000 in pay for House members alone, in addition to an estimated \$3.5 million in state funding to administer a second set of primary elections.

25. On May 18, 2026, the House debated the redistricting bill on the floor for nearly ten hours.

26. House members had filed nearly 500 amendments to the bill, reflecting the breadth and depth of substantive concerns among legislators regarding the proposed map and its impact on their constituents.

27. Against that backdrop of heightened public interest and urgency, and while nearly 500 amendments remained pending, the Rules Committee scheduled a meeting for May 18, 2026 at 7:15 PM at the State House, Third Floor Conference Room.

28. The Rules Committee is a standing committee of the South Carolina House of Representatives. Its membership at all relevant times included: Chairman Micajah P. "Micah" Caskey, IV; Vice-Chairman Cally R. "Cal" Forrest, Jr.; and members Thomas C. "Case" Brittain, Jr., Joseph "Joe" M. Bustos, William "Bill" Clyburn, Kevin J. Hardee, Jackie E. "Coach" Hayes, Lee Hewitt, David R. Hiott, Phillip D. Lowe, Cody T. Mitchell, Brandon Newton, Fawn M. Pedalino, Luke Rankin, and Elizabeth "Spencer" Wetmore. **(Exhibit A, House Standing Committees).**

House Standing Committees			
Chairmen, Telephone Numbers & Room Assignments			
Committee	Chairman	Telephone	Room*
Agriculture, Natural Resources & Environmental Affairs	William M. "Bill" Hixon	(803) 734-3022	411
Education and Public Works	Shannon S. Erickson	(803) 734-3053	429
Ethics Com.	Wallace H. "Jay" Jordan, Jr.	(803) 734-3114	519
Government Efficiency and Legislative Oversight	Jeffrey E. "Jeff" Johnson	(803) 212-6810	228
Interstate Cooperation Com.	Mark N. Willis	(803) 734-3141	534
Invitations and Memorial Resolutions Com.	Dennis C. Moss	(803) 734-3107	503
Judiciary	Wm. Weston J. Newton	(803) 734-3120	512
Labor, Commerce and Industry	William G. "Bill" Herbkersman	(803) 734-3015	407
Medical, Military, Public and Municipal Affairs	Sylleste H. Davis	(803) 734-3046	425
Operations and Management	Patrick B. Haddon	(803) 734-3141	534
Reg., Admin. Proc., AI and Cybersecurity	Jeff Bradley	(803) 212-6815	202
Rules	Micajah P. "Micah" Caskey, IV	(803) 734-3113	519
Ways and Means	Bruce W. Bannister	(803) 734-3144	525

(*All room numbers refer to the Blatt Building)

29. The South Carolina Legislature’s publicly accessible online meeting schedule reflected that the Committee’s 7:15 PM meeting was “added” at 7:07 PM on May 18, 2026. **(Exhibit B, House Meeting Schedule.)**

House Meeting Schedule
[Previous](#) < Week of May 18, 2026

Week of 05/18/2026

Monday, May 18, 2026

9:00 am -- Blatt Room 305 -- SC Legislative Black Caucus
REVISIONS:
Meeting added on 05/15/2026 at 5:29 pm

10:00 am -- Blatt Room 433 -- SC Education Oversight Academic Standards & Assessments Subcommittee
Agenda Available
REVISIONS:
Meeting added on 05/08/2026 at 1:56 pm

10:00 am -- Blatt Room 112 -- House Majority Caucus
REVISIONS:
Meeting added on 05/15/2026 at 5:30 pm

10:00 am -- Blatt Room 305 -- House Minority Caucus
REVISIONS:
Meeting added on 05/15/2026 at 5:31 pm

10:00 am -- Blatt Room 318 -- SC Freedom Caucus
REVISIONS:
Meeting added on 05/18/2026 at 8:26 am

11:00 am -- State House, House Chamber -- House of Representatives
Archive Broadcast
REVISIONS:
Scheduled for Live Broadcast on 05/15/2026 at 3:03 pm
Meeting added on 05/15/2026 at 3:03 pm

7:15 pm -- State House, Third Floor Conference Room -- House Rules Committee
Agenda Available
REVISIONS:
Meeting added on 05/18/2026 at 7:07 pm

30. The publicly posted agenda for the May 18, 2026 meeting listed only three items: (I) Call to Order; (II) Discussion of Rules Resolutions; and (III) Adjourn. The agenda contained a notation that “Agendas are subject to change.” (**Exhibit C, May 18, 2026 Notice and Agenda of the House Rules Committee.**)

Micajah P. "Micah" Caskey, IV
Chairman

House Legislative Rules Committee



P.O. BOX 11867
519 BLATT BUILDING
COLUMBIA, SC 29211
TELEPHONE: (803) 734-3113
FAX: 803-734-8795

Cally R. "Cal" Forrest, Jr.
Vice-Chairman

Thomas C. "Case" Brittain, Jr.
Joseph "Joe" M. Bustos
William "Bill" Clyburn
Kevin J. Hardee
Jackie E. "Coach" Hayes

Maggie Chappell
Assistant Legal Counsel

Lee Hewitt
David R. Hiott
Phillip D. Lowe
Cody T. Mitchell
Brandon Newton
Fawn M. Pedalino
Luke Rankin
Elizabeth "Spencer" Wetmore

Grace Ross
Executive Assistant

NOTICE AND AGENDA

HOUSE RULES COMMITTEE

**May 18, 2026
7:15 PM**

State House, Third Floor Conference Room

- I. Call to Order
- II. Discussion of Rules Resolutions
- III. Adjourn

31. Accordingly, the notice and agenda were posted only minutes before the meeting began — approximately eight (8) minutes before the scheduled start time.

32. The agenda did not state that the meeting was an emergency meeting, did not identify any emergency or exigent circumstances. (**Exhibit C.**)

33. The agenda did not provide the public notice that any vote or final action would be taken. (**Exhibit C.**)

34. Upon information and belief, there were no emergency or exigent circumstances requiring abbreviated notice.

35. The extraordinary session had been called four days earlier, and the public controversy surrounding redistricting was well known, providing ample time to comply with FOIA's notice requirements.

36. Any urgency was manufactured by Republicans in the House who became frustrated by members whose debate and proposed amendments to H. 5683 slowed Republicans' attempts to steamroll the passage of the bill.

37. The agenda as posted — "Discussion of Rules Resolutions" — provided no notice that a vote would be taken to adopt rules governing debate on congressional redistricting, a matter of exceptional public importance.

38. The only item on the agenda, "Discussion of Rules Resolutions," suggests deliberation, not action.

39. The abbreviated notice and lack of an actionable agenda item prevented meaningful public awareness and participation and deprived Plaintiffs and the public of the transparency FOIA requires

40. The adoption of the Rules Resolution at the meeting was not noticed on the agenda.

41. The agenda as posted — "Discussion of Rules Resolutions" — provided no notice that a vote would be taken to adopt rules governing debate on congressional redistricting, a matter of exceptional public importance.

42. At no time did the Committee vote to amend the agenda by a two-thirds vote of the members present and voting,

43. At no time did the Committee make a finding of emergency or exigent circumstances, as required by S.C. Code Ann. § 30-4-80(A), before taking action on an item not noticed on the agenda.

44. At the May 18, 2026 meeting, the Committee adopted a Rules Resolution that imposed two significant restrictions on the redistricting debate.

45. First, it limited each House member to a single amendment on the redistricting bill, effectively voiding the vast majority of the nearly 500 amendments that remained pending.

46. Second, it imposed time limits on discussion of each amendment.

47. The combined effect of these restrictions was to dramatically curtail the ability of House members — and through them, their constituents — to meaningfully participate in shaping the redistricting legislation

48. The Rules Resolution was subsequently adopted by the full House on a vote of 73 to 33.

49. One Republican member, Representative Tom Hartnett of Mount Pleasant, voted with Democrats against the resolution

50. Representative Elizabeth “Spencer” Wetmore of Folly Beach stated on the House floor: “We are changing the rules in the middle of the game.”

51. Representative Leon Stavrinakis of Charleston added: “Whoever filed those amendments, they are literally erased, as if they mean nothing. We are supposed to be the people’s house, to allow the voices of the people to be heard.”

52. The amendments that were voided by the Rules Resolution reflected weeks of constituent engagement, policy analysis, and legislative deliberation by members of both parties.

53. Members had developed substantive proposals addressing the redistricting bill's impact on election administration, voting access, district composition, and the compressed election calendar.

54. The Rules Resolution erased those proposals without any opportunity for public notice, public comment, or meaningful legislative debate regarding the rule change itself.

55. Following the adoption of the Rules Resolution by the full House, Representative Joseph M. King, Jr. raised a point of order on the House floor, stating: "My point of order is the general public has not been noticed on a meeting that was held by the Rules Committee, and I was under the impression at any meetings of the House of Representatives, the general public should be noticed, given at least a 24-hour notice, Mr. Speaker."

56. Speaker Smith overruled the point of order, stating from the Chair: "Mr. King, that is referring to the Freedom of Information Act where we notice committee meetings. We do notice committee meetings by the statute. On that, this is a House Rules Committee. This is not a committee for the public, and so it's not required. Internal workers of the House is not subject to the FOIA, and so I overrule your point of order."

57. Speaker Smith's ruling is contrary to the plain text of FOIA.

58. The statute defines “public body” to include “committees, subcommittees, advisory committees, and the like” of bodies supported by public funds. S.C. Code Ann. § 30-4-20(a).

59. FOIA expressly addresses legislative committee notice requirements in § 30-4-80(B). The statute draws no distinction between committees “for the public” and other committees of the General Assembly, and no provision of FOIA exempts committees on the basis that they deal with “internal” matters.

60. Speaker Smith’s ruling from the Chair represents an official position of the House leadership that FOIA does not apply to the Committee’s meetings.

61. This ruling, if left unchallenged, threatens to insulate legislative committee meetings from the transparency requirements of FOIA and to establish a precedent that would allow legislative committees to conduct consequential public business in secret.

62. The purpose of FOIA is to ensure that "public business be performed in an open and public manner so that citizens shall be advised of the performance of public officials and of the decisions that are reached in public activity and in the formulation of public policy." S.C. Code Ann. § 30-4-15.

63. The Committee's conduct on May 18, 2026, is antithetical to this legislative purpose and effectively excluded the public from a meeting at which consequential action was taken.

64. Upon information and belief, the decision to post notice only eight minutes before the meeting was deliberate and intentional, designed to prevent meaningful public attendance or participation in a meeting at which consequential action was taken affecting the redistricting process — a matter of extraordinary public interest and controversy.

65. The Committee's conduct is particularly egregious given the context: the special session was called specifically to address congressional redistricting, a matter that directly affects the fundamental right to vote and the composition of South Carolina's congressional delegation. The public had a paramount interest in observing and participating in the Committee's proceedings.

FOR A FIRST CAUSE OF ACTION

Violation of FOIA: Failure to Provide Twenty-Four-Hour Notice
(S.C. Code Ann. § 30-4-80(A)–(B))

66. Plaintiffs reallege and incorporate by reference the foregoing allegations as though set forth verbatim herein.

67. S.C. Code Ann. § 30-4-80(A) requires that an agenda for regularly scheduled or special meetings must be posted at least twenty-four hours prior to such meetings, and that notice for called or special meetings must include the agenda, date, time, and place and be posted as early as practicable but not later than twenty-four hours before the meeting.

68. S.C. Code Ann. § 30-4-80(B) provides that legislative committees must post meeting times during weeks of the regular session and must comply with the provisions for notice of special meetings during those weeks when the General Assembly is not in regular session.

69. Defendants posted notice of the May 18, 2026 meeting at approximately 7:07 PM for a 7:15 PM meeting, providing only approximately eight minutes of notice — far less than the twenty-four hours required by FOIA.

70. The May 18, 2026 meeting was not noticed as an emergency meeting, and Defendants did not identify any emergency circumstances that would excuse compliance with FOIA's twenty-four-hour notice requirements.

71. Defendants' failure to provide the required notice violated FOIA, and Plaintiffs are entitled to declaratory and injunctive relief pursuant to S.C. Code Ann. § 30-4-100(A).

FOR A SECOND CAUSE OF ACTION

Violation of FOIA: Taking Unnoticed Action / Failure to Provide Adequate Agenda Notice
(S.C. Code Ann. § 30-4-80(A))

72. Plaintiffs reallege and incorporate by reference the foregoing allegations as though set forth verbatim herein.

73. S.C. Code Ann. § 30-4-80(A) provides that, after a meeting begins, an item upon which action can be taken only may be added to the agenda by a two-thirds vote of the members present and voting, and where final action can be taken or where there will be no opportunity for public comment with prior public notice, the item only may be added upon a two-thirds vote and a finding that an emergency or exigent circumstance exists if the item is not added.

74. The agenda posted for the May 18, 2026 meeting did not identify any item for a vote or final action and provided only "Discussion of Rules Resolutions."

75. Upon information and belief, the Committee adopted a Rules Resolution at the May 18, 2026 meeting — a final action — despite the lack of prior public notice on the agenda.

76. Defendants did not provide the public the notice FOIA requires for an actionable agenda item, did not amend the agenda in compliance with FOIA's two-thirds

vote requirement, and did not make any finding of emergency or exigent circumstances that would justify taking final action without prior public notice.

77. Defendants thereby violated FOIA, and Plaintiffs are entitled to declaratory and injunctive relief pursuant to S.C. Code Ann. § 30-4-100(A).

FOR A THIRD CAUSE OF ACTION

Violation of the Spirit of FOIA / Circumvention
(S.C. Code Ann. § 30-4-70(c))

78. Plaintiffs reallege and incorporate by reference the foregoing allegations as though set forth verbatim herein.

79. S.C. Code Ann. § 30-4-15, the “Findings and purpose” section of FOIA, states that “The General Assembly finds that it is vital in a democratic society that public business be performed in an open and public manner so that citizens shall be advised of performance of public officials and that are reached in public activity and in the formulation of public policy. Toward this end, provisions of this chapter must be construed so as to make it possible for citizens, or their representative, to learn and report fully the activities of their public officials at a minimum cost or delay to the persons seeking access to public documents or meetings.”

80. S.C. Code Ann. § 30-4-70(c) provides that “[n]o chance meeting, social meeting, or electronic communication may be used in circumvention of the spirit of requirements of this chapter” to act upon a matter over which the public body has supervision, control, jurisdiction, or advisory power.

81. By posting notice only minutes before a meeting at which consequential action would be taken, Defendants effectively excluded the public from attending, monitoring, and responding to the Rules Committee’s business.

82. Defendants' conduct circumvented the spirit and purpose of FOIA's open-meeting and notice requirements, which are intended to prevent secret government activity and ensure that public business is conducted openly.

83. Defendants thereby violated S.C. Code Ann. § 30-4-70(c), entitling Plaintiffs to relief under S.C. Code Ann. § 30-4-100(A).

FOR A FOURTH CAUSE OF ACTION

Declaratory Relief: FOIA Applies to the Committee's Meeting Notice and Agenda Requirements

(S.C. Code Ann. §§ 30-4-20(a), 30-4-80(A)–(B), 30-4-100)

84. Plaintiffs reallege and incorporate by reference the foregoing allegations as though set forth verbatim herein.

85. FOIA defines "public body" to include "committees, subcommittees, advisory committees, and the like" of bodies supported by public funds or expending public funds. S.C. Code Ann. § 30-4-20(a). FOIA expressly addresses legislative committee meeting notices and confirms that legislative committees must provide notice as required by S.C. Code Ann. § 30-4-80(B).

86. Speaker Smith ruled from the Chair on May 18, 2026, that FOIA does not apply to the Committee because it deals with "internal" matters, stating: "This is a House Rules Committee. This is not a committee for the public, and so it's not required. Internal workers of the House is not subject to the FOIA."

87. Speaker Smith's ruling has no basis in the text of FOIA. The statute applies to all meetings of all public bodies, and legislative committees are expressly included in the statutory definition. No provision of FOIA exempts committees on the basis that their work involves "internal" matters, and FOIA draws no distinction between committees "for the public" and other committees of the General Assembly.

88. If Speaker Smith's ruling is allowed to stand, it would effectively exempt legislative committees from FOIA's transparency requirements whenever the committee's business is characterized as "internal" — a result the General Assembly did not intend when it enacted FOIA and expressly included legislative committees within its scope.

89. Plaintiffs seek a declaratory judgment that FOIA applies to the Committee's meeting notice and agenda requirements and that Speaker Smith's ruling to the contrary is erroneous as a matter of law.

FOR A FIFTH CAUSE OF ACTION

Injunctive Relief

(S.C. Code Ann. §§ 30-4-20(a), 30-4-80(A)–(B), 30-4-100)

90. Plaintiffs reallege and incorporate by reference the foregoing allegations as though set forth verbatim herein.

91. S.C. Code Ann. § 30-4-100(A) authorizes the circuit court to grant injunctive relief to enforce the provisions of FOIA, and provides that "a violation of this chapter must be considered to be an irreparable injury for which no adequate remedy at law exists."

92. Plaintiffs are entitled to a temporary restraining order, preliminary injunction, and permanent injunction pursuant to S.C. Code Ann. § 30-4-100(A) and Rule 65, S.C.R.C.P., because Defendants violated FOIA as set forth in the First through Fourth Causes of Action, and the statutory presumption of irreparable injury applies.

93. Plaintiffs have no adequate remedy at law. The Rules Resolution adopted at the illegally noticed May 18, 2026 meeting is currently in effect and governing debate on a congressional redistricting bill during the extraordinary session of the General Assembly. Once the redistricting bill is passed under the illegally adopted Rules

Resolution, the harm to Plaintiffs and the public cannot be undone by damages or any remedy other than injunctive relief.

94. The balance of equities and the public interest strongly favor injunctive relief. Requiring Defendants to comply with FOIA imposes no hardship — it merely requires them to follow the law. The Committee may reconvene, properly notice a meeting in compliance with FOIA, and lawfully adopt whatever rules it deems appropriate. By contrast, allowing an illegally adopted Rules Resolution to govern the redistricting process — a matter affecting the fundamental right to vote — causes severe and ongoing harm to Plaintiffs and the public

95. Plaintiffs seek the following injunctive relief: (a) a temporary restraining order and preliminary injunction prohibiting Defendants from enforcing any Rules Resolution adopted at the May 18, 2026 meeting, pending a full hearing on the merits; (b) a permanent injunction prohibiting Defendants from enforcing any Rules Resolution adopted at the May 18, 2026 meeting; and (c) a permanent injunction requiring Defendants to comply with FOIA's notice and agenda requirements for all future Committee meetings.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that the Court enter judgment in their favor and grant the following relief:

- a. Issuing, on an expedited basis and without delay, a *temporary restraining order* pursuant to Rule 65, S.C.R.C.P., prohibiting Defendants from enforcing, implementing, or relying upon any Rules Resolution adopted at the May 18, 2026 meeting of the House Legislative Rules Committee, pending further order of this Court;

- b. Following the initial hearing required by S.C. Code Ann. § 30-4-100(A), issuing a preliminary injunction prohibiting Defendants from enforcing, implementing, or relying upon and Rules Resolution adopted at the May 18, 2026 meeting;
- c. A declaratory judgment that the Committee's May 18, 2026 meeting was held in violation of FOIA;
- d. A declaratory judgment that Defendants violated S.C. Code Ann. § 30-4-80(A)–(B) by failing to provide at least twenty-four hours' notice of the May 18, 2026 meeting;
- e. A declaratory judgment that Defendants violated S.C. Code Ann. § 30-4-80(A) by taking final action without prior agenda notice and without complying with FOIA's procedures for adding actionable items to the agenda;
- f. A declaratory judgment that Defendants violated S.C. Code Ann. § 30-4-70(c) by circumventing the spirit of FOIA's open-meeting requirements;
- g. A declaratory judgment that FOIA applies to the Committee's meeting notice and agenda requirements, that Speaker Smith's ruling to the contrary is erroneous as a matter of law, and that Defendants' "internal affairs" rationale does not excuse noncompliance with FOIA;
- h. A declaration that any and all actions taken at the May 18, 2026 meeting, including adoption of any Rules Resolution, are void and of no legal effect;

- i. Injunctive relief requiring Defendants to comply with FOIA's notice and agenda requirements for all future meetings, including posting agendas at least twenty-four hours in advance absent a lawful emergency meeting;
- j. Injunctive relief prohibiting Defendants from enforcing any Rules Resolution adopted at the May 18, 2026 meeting unless and until the Committee lawfully reconsiders and adopts such measures in a properly noticed public meeting;
- k. Reasonable attorney's fees and costs pursuant to S.C. Code Ann. § 30-4-100(B);
- l. A civil fine and any other relief the Court deems appropriate upon a finding that Defendants acted arbitrarily and capriciously, as authorized by S.C. Code Ann. § 30-4-110(F); and
- m. Such other and further relief as the Court deems just and proper.

Respectfully submitted,

s/ Lydia Robins Hendrix
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May 19, 2026

