

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)
)
 SC SAFE ELECTIONS and)
 MICHAEL FUNDERBURK)
)
 Plaintiff,)
)
 vs.)
)
 THE BOARDS OF ELECTIONS FOR)
 AIKEN COUNTY, BEAUFORT COUNTY)
 CHARLESTON COUNTY, DORCHESTER)
 COUNTY, GREENVILLE COUNTY,)
 LEXINGTON COUNTY, SPARTANBURG)
 COUNTY, YORK COUNTY, and THE)
 SOUTH CAROLINA STATE ELECTION)
 COMMISSION, HOWARD KNAPP IN)
 HIS OFFICIAL CAPACITY)
)
 Defendant,)
 _____)

IN THE COURT OF COMMON PLEAS

C.A. NO. 2022-CP- - _____

MOTION FOR INJUNCTIVE RELIEF

TO THE COURT, THE DEFENDANTS, AND ALL COUNSEL OF RECORD:

YOU WILL PLEASE TAKE NOTICE that counsel for the Plaintiffs hereby moved for a preliminary injunction pursuant to Rule 65 of the South Carolina Rules of Civil Procedure against all Defendants, restraining the Defendants from destroying, or allowing the destruction of, the materials sought in the FOIA requests (namely the Case Vote Record images) during the pendency of this litigation or until a full hearing can be had on an injunction to the same purpose.

The grounds for this motion are based upon the specific allegations alleged in the Complaint in this case, the Affidavits of the Plaintiffs and supporting witnesses attached hereto and incorporated herein and a memorandum of law in support of this motion which will be filed prior to a hearing, and any additional materials which may be produced to the Court at the time of the hearing.

The Plaintiffs Request the following Relief:

A Temporary Restraining Order requiring the Defendants refrain from destruction of the CVR (as defined in the Complaint) and an Order requiring that the Defendants take reasonable and appropriate measures to secure and hold the requested materials in a safe manner and location during the resolution of this action.

The Plaintiffs further request that the Court enjoin the Defendants from damaging or destroying, or allowing others to damage or destroy, the CVR requested for the pendency of the current action until such materials can be appropriately and safely transmitted or otherwise supplied to the Defendant in an appropriate manner pursuant to the relief requested in the Complaint in this action.

The Plaintiffs request attorney fees and costs associated with this action.

The Plaintiffs further requests that the Court grant all other and further relief as it may deem just and necessary.

Respectfully Submitted,

Lauren Martel, Attorney at Law

s/ Lauren Martel

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Beaufort, South Carolina
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