

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

Eden Rogers and Brandy Welch,)
)
 Plaintiff,)
)
 v.)
)
 United States Department of Health and)
 Human Services; Alex Azar, in his official)
 capacity as Secretary of the United States)
 Department of Health and Human)
 Services; Administration for Children and)
 Families; Lynn Johnson, in her official)
 capacity as Assistant Secretary of the)
 Administration for Children and Families;)
 Steven Wagner, in his official capacity as)
 Principal Deputy Assistant Secretary of)
 the Administration for Children and)
 Families; Henry McMaster, in his official)
 capacity as Governor of the State of South)
 Carolina; and Michael Leach, in his)
 official capacity as State Director of the)
 South Carolina Department of Social)
 Services,)
)
 Defendants.)
 _____)

Civil Action No.
6:19-cv-01567-TMC

**REPLY IN SUPPORT OF
SECOND
MOTION FOR EXTENSION OF TIME IN
WHICH TO ANSWER OR OTHERWISE
PLEAD**

Defendant Michael Leach, in his official capacity as State Director of the South Carolina Department of Social Services, submits the following Reply in response to ECF No. 38, Plaintiffs’ Memorandum in Opposition to various motions filed by Defendants, including ECF No. 33, this Defendant’s Motion for Extension of Time.

To the extent Plaintiffs’ Response (ECF No. 38) argues that DSS’ Second Motion for an Extension of Time was untimely, DSS adopts and incorporates by reference the arguments made

in Governor McMaster's Reply (ECF No. 40). DSS files this separate Reply merely to correct one additional misapprehension appearing in Plaintiffs' Response. Specifically, Plaintiffs correctly state that DSS consented to the Motion to Stay (rather than joining it), but from this fact they speculatively imply that DSS must have been skeptical of the merits of the motion. (*See* ECF No. 38 at 1.) Plaintiffs' speculation is incorrect. DSS fully supports the Motion to Stay, and DSS' consent to the motion should not be misrepresented to imply something else.

Respectfully submitted,

DAVIDSON, WREN & PLYLER P.A.

s/Kenneth P. Woodington
WILLIAM H. DAVIDSON, II, #425
KENNETH P. WOODINGTON, #4741
1611 Devonshire Drive, 2nd Floor
Post Office Box 8568
Columbia, South Carolina 29202-8568
[wdavidson@dml-law.com](mailto:w davidson@dml-law.com)
[kwoodington@dml-law.com](mailto:k woodington@dml-law.com)
T: 803-806-8222
F: 803-806-8855

*Counsel for Defendant Michael Leach, in
his official capacity as State Director of the
South Carolina Department of Social
Services*

Columbia, South Carolina

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