

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

Aimee Maddonna,)	
)	Civil Action No. 6:19-cv-03551-DCC
Plaintiff,)	
)	
v.)	
)	<u>DEFENDANT HENRY MCMASTER’S</u>
United States Department of Health and)	<u>ANSWERS TO LOCAL CIVIL RULE</u>
Human Services, et al.,)	<u>26.01 INTERROGATORIES</u>
)	
Defendants.)	

Pursuant to Local Civil Rule 26.01, Defendant Henry McMaster (“Governor McMaster”), in his official capacity as Governor of South Carolina, by and through undersigned counsel, hereby submits the following answers to the interrogatories found in Local Civil Rule 26.01:

(A) State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

ANSWER: None.

(B) As to each claim, state whether it should be tried jury or nonjury and why.

ANSWER: No party to this case has requested a jury trial on any of the claims at this time.

(C) State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

ANSWER: Governor McMaster is an elected official of the State of South Carolina. As an elected official and a natural person, (1) he is not a

publicly owned company or a parent, subsidiary, partner, or affiliate of any publicly owned company, (2) he has no shares which could be owned by any publicly owned company, and (3) he does not own ten percent or more of the outstanding shares of any publicly owned company.

- (D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division). *See* Local Civil Rule 3.01.

ANSWER: Plaintiff's Complaint asserts the suit has been properly filed in the District of South Carolina, Greenville Division because a substantial part of the events giving rise to the claims occurred within this division and because Plaintiff resides in this division. *See* Complaint (ECF No. 1) ¶ 15.

- (E) Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

ANSWER: (1) Plaintiff Aimee Maddonna previously filed suit in this Court raising nearly identical claims against nearly identical Defendants arising from the same transactions and occurrences and asserting

causes of action and requests for relief that are nearly identical to those in this suit. *See Maddonna v. U.S. Dept. of Health and Human Servs. et al.*, Case No. 6:19-cv-00448-TMC (D.S.C.). The case was dismissed without prejudice on November 13, 2019 due to Plaintiff's failure to establish standing.

(2) A different set of plaintiffs filed suit in this Court raising nearly identical claims against nearly identical Defendants arising from the same transactions and occurrences and asserting causes of action and requests for relief that are nearly the same as those in this suit. *See Rogers v. U.S. Dept. of Health and Human Servs.*, Case No. 6:19-cv-01567-DCC (D.S.C.). Briefing has been completed on the Defendants' Motions to Dismiss in that suit.

(F) If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

ANSWER: Not applicable.

(G) If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

ANSWER: Not applicable.

[SIGNATURE PAGE ATTACHED]

Respectfully submitted

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: s/ Miles E. Coleman

Miles E. Coleman
Federal Bar No. 11594
E-Mail: miles.coleman@nelsonmullins.com
2 W. Washington St. / 4th Floor
Greenville, SC 29601
(864) 373-2352

Jay T. Thompson
Federal Bar No. 09846
E-Mail: jay.thompson@nelsonmullins.com
1320 Main Street / 17th Floor
Post Office Box 11070 (29211-1070)
Columbia, SC 29201
(803) 799-2000

OFFICE OF THE ATTORNEY GENERAL

Robert D. Cook, South Carolina Solicitor General
Federal Bar No. 285
E-Mail: bcook@scag.gov
Post Office Box 11549
Columbia, SC 29211
(803) 734-3970

Attorneys for Governor Henry McMaster

Greenville, South Carolina
February 11, 2020