

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

AIMEE MADDONNA,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF HEALTH AND
HUMAN SERVICES, *et al.*,

Defendants.

C.A. No. _____

**PLAINTIFF’S RESPONSES TO
LOCAL RULE 26.01 INITIAL
INTERROGATORIES**

Plaintiff Aimee Maddonna, through undersigned counsel of record, submits the following responses to Local Rule 26.01 Initial Interrogatories.

(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 that interest.

Response: None.

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

Response: All claims in the Complaint are asserted against governmental entities or individuals acting in their official governmental capacity only. No individual defendants are sued in their personal capacities. Count I asserts constitutional claims against both the state and the federal defendants for violation of the First Amendment to the United States Constitution. Counts II and III assert claims against the federal defendants and the state defendants, respectively, for violation of the Equal Protection Clause. Counts IV and V are brought against the federal defendants for violations of the Administrative Procedure Act. Each claim seeks only declaratory and injunctive relief—i.e., equitable remedies, not damages. Hence, there is no right to a jury trial on any of the claims.

(C) State whether the party submitting these responses is a publicly-owned company and separately identify (1) any parent corporation and any publicly-held corporation owning ten percent (10%) or more of the party's stock; (2) each publicly-owned company of which it is a parent; and (3) each publicly-owned company in which the party owns ten percent (10%) or more of the outstanding shares.

Response: Plaintiff is an individual, not a company or corporation.

(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 Civ. Rule 3.01 (D.S.C.).

Response: A substantial part of the events or omissions giving rise to the claims occurred in the Greenville Division, where Plaintiff also resides. All defendants are either federal governmental entities or federal or state officials sued in their official capacity only.

(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 that *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.

Response: This action is related to two other matters filed in this district.

Maddonna v. United States Department of Health and Human Services, Case No. 6:19-cv-00448-TMC: Plaintiff Aimee Maddonna filed this first action in February 2019, alleging violations

of the Establishment Clause, Equal Protection Clause, Due Process Clause, and APA by federal and state entities and individuals in their official capacities for their unconstitutional funding and enabling of discrimination by foster-care child-placement agencies on the basis of prospective foster parents' religious identities and beliefs. The case was dismissed without prejudice and judgment was entered on November 13, 2019. The case is closed. Plaintiff now re-files her lawsuit, alleging violations of the Establishment Clause, Equal Protection Clause, and APA against a nearly identical set of state and federal defendants for their unconstitutional funding and enabling of religious discrimination by foster-care child-placement agencies.

Rogers v. U.S. Department of Health and Human Services, Case No. 6:19-cv-01567-TMC: Plaintiffs Eden Rogers and Brandy Welch sued a nearly identical set of federal and state entities and individuals in their official capacities for their authorizing government-funded, state-contracted foster-care child-placement agencies to discriminate against prospective foster parents on the basis of religion and sexual orientation. Briefing is now complete on defendants' pending motions to dismiss.

Respectfully submitted this 20th day of December, 2019.

s/ Aaron J. Kozloski
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* *Pro hac vice* applications forthcoming.

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Supervised by Richard B. Katskee, a
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application forthcoming.