

STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF GREENVILLE	)	
	)	THIRTEENTH JUDICIAL CIRCUIT
	)	
Faith Adedokun	)	Civil Action No: 20-CP-
	)	
Plaintiff,	)	
	)	
vs.	)	SUMMONS
	)	(Non-jury)
	)	
Greenville County Council	)	
	)	
Defendant	)	
_____	)	

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is hereby served upon you (and which has been filed in the Office of the Clerk of Court) and to serve a copy of your Answer upon the subscribers, at their offices located at 906 N. Church St., Greenville, SC 29601, within thirty (30) days after the date of such service, exclusive of the day of service, and if you fail to answer the said Complaint within that time, judgment by default will be rendered against you for the relief demanded in the Complaint.

Attorney For Plaintiff:

/s Jake Erwin

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Faith Adedokun	)	Civil Action No: 20-CP-
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Plaintiff,	)	
	)	
vs.	)	COMPLAINT
	)	(Non-jury)
	)	
Greenville County Council	)	
	)	
Defendant	)	
_____	)	

Plaintiff Faith Adedokun (hereafter “Faith”) seeks a declaratory judgment against the Defendant Greenville County Council (hereafter “Council”) for Council’s violations of the South Carolina Freedom of Information Act, S.C. Code Ann. §30-4-10, *et seq.* (hereafter “the Act” or “FOIA”). Pursuant to §30-4-100 (Supp. 2018) of the Act, Plaintiff seeks equitable and injunctive relief, attorney’s fees, and such other relief as the Court may deem appropriate. In accordance with the Act, Faith seeks an immediate hearing within ten days of the service on Council of this action.

In support of such action, Faith submits the following:

1. Faith is a citizen and resident of Greenville County, South Carolina.
2. Council is a body created pursuant to S.C. Code §4-9-610, and which expressly constitutes a “public body” within the meaning of §30-4-20(a) of the Act.
3. Council has not met in person since March 11, 2020. Meetings have instead been conducted over zoom video conferencing.

4. Council has not allowed any public comment on non-agenda items since their last regular meeting on March 3, 2020.
5. Prior to March, Council chambers, which can seat more than 200 people, was regularly close to capacity.
6. The lack of in-person meetings and blocking of public comment has stifled public debate on key issues, to wit: no members of the public have had a chance to speak about the ongoing pandemic during a Council meeting, and Council has held no discussions on important public safety measures such as a mask mandate. Furthermore, a Council vote in June on how to spend \$91 million in federal emergency funds for managing the pandemic included no public hearing or comment.
7. Greenville City Council has established a remote location at the Greenville Convention Center where citizens without internet access can watch meetings and sign up in real time to make public comments.
8. Council has made no such effort and to date has provided no opportunity for citizens without internet access to view meetings or comment.
9. A citizen who wishes to speak at Council meetings, as currently constituted, is required to sign up one day in advance of the Council meeting, and to limit their comments to only agenda items, effectively eliminating public comment on issues not pre-approved by Council.
10. Under regular Council rules, thirty minutes are reserved at the end of the meeting for the public to comment on any subject matter. This open commentary portion of the meeting has not been a part of Council meetings since March.
11. Council meetings are live-streamed at greenvillecounty.org, but are not available for later viewing.

12. Members of the public who do speak during Council meetings over zoom are invisible to Council members. This effectively insulates Council members from engaging with citizens speaking before them and encourages Council members to ignore those citizens.
13. On July 21, Council voted 8-4 to extend the current paradigm until at least October.
14. When asked about these meetings by the Charleston Post & Courier, Council Chairman Butch Kirven said "There is no state law requirement that counties have to do this."
15. Plaintiff respectfully disagrees.
16. Section 30-4-15 of the Act reads: "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 the performance of public officials and of the decisions that are reached in public activity and in the formulation of public policy."
17. Section 30-4-60 of the Act states that all meetings of public bodies "shall be open to the public unless closed pursuant to Section 30-4-70 of this chapter."
18. No exception, as outlined in §30-4-70 applies.
19. Council meetings held under these conditions are not open, as required by the Act.

Wherefore, Plaintiff seeks an order of the Court:

1. Finding that Council meetings in their current form are in violation of the Act;
2. Directing Council to establish a remote location for citizens to virtually attend meetings, similar to the one established by Greenville City Council;
3. Directing Council to provide an opportunity in Council meetings for public commentary on issues not on the meeting agenda,
4. Directing Council to archive and publish recorded meetings for later viewing by the public,

5. Directing council not to hide video of members of the public addressing Council,
6. Awarding attorney's fees and costs to Plaintiff in connection with this action pursuant to S.C. Code §30-4-100;
7. And such further relief as the Court deems just and proper.

Attorney For Plaintiff:

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