

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

IN THE ORIGINAL JURISDICTION OF THE SUPREME COURT

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Casey Edwards and Justin Williams . . . . . Plaintiffs,

v.

The State of South Carolina and  
Mark Sanford, Governor of South Carolina. . . . . Defendants.

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**GOVERNOR MARK SANFORD'S  
ANSWER TO COMPLAINT**

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Mark Sanford, in his official capacity as Governor of the State of South Carolina,  
respectfully submits this Answer to Plaintiffs' Complaint.

INTRODUCTION

1. Governor Sanford lacks knowledge or information sufficient to form a belief as to the truth of this allegation.
2. Governor Sanford admits that the State is a defendant in this action.
3. This allegation states a legal conclusion to which no answer is required.
4. This allegation states a legal conclusion to which no answer is required.
5. Admitted.
6. Admitted.
7. Admitted.

8. Governor Sanford admits that he publicly opposed accepted State Fiscal Stabilization Funds unless an equal amount of money was used to pay back the State's debt. The remainder of paragraph 8 is denied.

9. It is admitted that on December 2, 2008, Governor Sanford published an article in the Wall Street Journal, the contents of which speak for themselves.

10. It is admitted that on December 2, 2008, Governor Sanford wrote a letter to President-Elect Obama, the contents of which speak for themselves.

11. Governor Sanford lacks knowledge or information sufficient to form a belief as to the truth of this allegation..

12. Governor Sanford lacks knowledge or information sufficient to form a belief as to the truth of this allegation.

13. Governor Sanford lacks knowledge or information sufficient to form a belief as to the truth of this allegation.

14. Admitted.

15. This allegation states a legal conclusion to which no answer is required.

16. Governor Sanford admits that this paragraph quotes § 1607(a) of ARRA.

17. Governor Sanford admits that this paragraph quotes § 1607(b) of ARRA.

18. This allegation states a legal conclusion to which no answer is required.

19. Governor Sanford admits that this paragraph quotes § 1607(c) of ARRA.

20. This allegation states a legal conclusion to which no answer is required.

21. Governor Sanford admits that this paragraph quotes § 14005(a) and (b) of ARRA and further admits that ARRA provides specific application requirements.

22. This allegation states a legal conclusion to which no answer is required.

23. Governor Sanford admits that this paragraph quotes § 14007 of ARRA.
24. Denied.
25. Denied.
26. It is admitted that the Attorney General wrote a letter to Senator McConnell on March 31, 2009, the contents of which speak for themselves.
27. Admitted.
28. It is admitted that Governor Sanford wrote a letter to President Obama on March 11, 2009, the contents of which speak for themselves.
29. It is admitted that Peter Orszag wrote a letter to Governor Sanford on March 20, 2009, the contents of which speak for themselves..
30. It is admitted that Governor Sanford wrote a letter to Peter Orszag on April 3, 2009, the contents of which speak for themselves.
31. It is admitted that Governor Sanford wrote a letter to Peter Orszag on April 3, 2009, the contents of which speak for themselves..
32. It is admitted that Governor Sanford wrote a letter to President Obama on March 11, 2009, the contents of which speak for themselves.
33. Denied.
34. It is admitted that the State Department of Education published information on its web site, the contents of which speak for themselves.
35. Denied.
36. Governor Sanford admits that the General Assembly in its 2009-2010 General Appropriations Law purported to appropriate State Fiscal Stabilization Fund funds.

37. Governor Sanford admits that he vetoed the portion of the General Appropriations Law concerning State Fiscal Stabilization Fund funds. Governor Sanford's veto message speaks for itself.

38. Governor Sanford's veto message speaks for itself..

39. Admitted.

40. Admitted.

41. Governor Sanford admits that Part III, Section 2 of the General Appropriations Law purports to distribute State Fiscal Stabilization Fund funds. Governor Sanford expressly denies that Part III, Section 2 of the General Appropriations Law is legally valid.

42. Governor Sanford admits that the General Assembly adopted a Concurrent Resolution that purports to be authorized by § 1607(b) of ARRA. Governor Sanford expressly denies that the Concurrent Resolution is legally valid.

43. Governor Sanford admits that the General Assembly's Concurrent Resolution purports to accept State Fiscal Stabilization Fund funds. Governor Sanford expressly denies that the Concurrent Resolution is legally valid.

44. Denied.

45. Denied.

46. Governor Sanford incorporates the foregoing paragraphs of this Answer as though fully set forth herein.

47. Denied.

48. Denied.

49. It is admitted that the Plaintiffs seek a declaratory judgment as set forth in Paragraph 49.

50. It is admitted that the Plaintiffs seek a declaratory judgment as set forth in Paragraph 50.

51. It is admitted that the Plaintiffs request a speedy hearing of the matters set forth in the complaint.

#### PRAYER FOR RELIEF

WHEREFORE, this defendant prays:

- (a) that the Court dismiss all of Plaintiff's claims with prejudice;
- (b) that the Court grant Defendant such other and further relief as may be just and proper.

Respectfully submitted, this the 2nd day of June, 2009

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing answer was served upon the following via hand delivery:

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This the 2nd day of June, 2009.

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