

STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON

FILED

IN THE COURT OF COMMON PLEAS
Civil Action No.:2012-CP-32-02886

2012 JUL 17 P 4:46

Sheri Few,

Plaintiff,

BETH A. CARRIGG
CLERK OF COURT
LEXINGTON SC

**PLAINTIFF'S ANSWER TO
COUNTERCLAIM**

vs.

Katrina Frye Shealy,

Defendant.

The Plaintiff Sheri Few hereby answers the Defendant's Counterclaim as follows:

1. Each and every allegation contained in the Counterclaim not specifically admitted, qualified or explained is hereby denied.
2. In answering the allegations contained in paragraphs 32 and 33 of the Defendant's Counterclaim, the Plaintiff Sheri Few admits that a relationship existed between herself and the Defendant Katrina Shealy. However the terms of that relationship is more properly defined by the terms of the contract between the two, rather than the descriptions found in paragraph 32 and 33 in the counterclaim.
3. The allegations contained in paragraph 34 are denied.
4. The Plaintiff admits only so much of the allegations contained in paragraph 35 in that she did have a lunch meeting with the Defendant on January 24th, 2012 to discuss her interest in managing the Defendant's campaign. As a result of that meeting a written contract was sent to the Defendant, who accepted the contract by her words and actions, and the Defendant began paying the Plaintiff pursuant to that contract. The Plaintiff

began providing services as described in that contract. The Defendant has admitted that money is owed to the Plaintiff, yet has refused to pay her. The remaining allegations contained in paragraph 35 are hereby denied.

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5. The allegations contained in paragraphs 36 are denied.
6. The allegations contained in paragraphs 38, 39, 40, 41, 42, 44, and 45 are denied.

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SECOND DEFENSE

7. The Defendant has failed to state a cause of action upon which relief may be granted pursuant to SCRPC, Rule 12(b)(6).

THIRD DEFENSE (Unclean Hands)

8. The Defendant has engaged in a campaign to intimidate and harass the Plaintiff regarding her claim for monies owed under a political consulting contract.
9. The Defendant has further spread rumors regarding the Plaintiff.
10. The Defendant has already shown a propensity for saying things which are untrue, even under oath.
11. Exhibit A is an affidavit Katrina Shealy submitted to the S.C Supreme Court. It claims she tried to electronically file her statement of Economic Interest, and therefore did not file a hard copy. Exhibit B is an affidavit from Katrina Shealy that seems to contradict the affidavit she submitted to the Supreme Court. It says, he brought a hard copy, but was told it was not needed. Exhibit C is an affidavit from Carla Hardee which contradicts Katrina Shealy's affidavit, exhibit B. Exhibit D is an email from Katrina Shealy which contradicts her affidavit, Exhibit B. It says she did not have a hard copy

with her when she filed.

12. Based on the above, the Defendant comes to the court with unclean hands

Wherefore, having answered the Counterclaim, the Plaintiff prays that the Counterclaim be dismissed, that she be awarded the relief requested in her complaint including the cost of this action and such other and further relief as the court deems just and proper.

MARK W. HARDEE, ATTORNEY AT LAW



Mark W. Hardee
Attorney for the Plaintiff
2301 Devine St
Columbia, South Carolina 29205
(803) 799-0905
(803) 799-0470 (fax)

Columbia, South Carolina
July 17, 2012

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THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

IN THE ORIGINAL JURISDICTION
OF THE SUPREME COURT

Michael Anderson and Robert G. Barger, Plaintiffs-
Petitioners,

v.

South Carolina State Election Commission, Marci Andino, as Executive Director of the South Carolina State Election Commission and as a representative of the South Carolina State Election Commission, South Carolina Democratic Party, Richard A. Harpootlian, as Chair of the Executive Committee of the South Carolina Democratic Party and as a representative of the South Carolina Democratic Party, South Carolina Republican Party, Chad Connelly, as chairman of the Executive Committee of the South Carolina Republican Party, Lexington County Commission of Registration and Elections, Dean Crepes, as Director of the Lexington County Commission of Registration and Elections, Lexington County Democratic Party, Kathy Hensley, as Chair of the Lexington County Democratic Party, Lexington County Republican Party, Steven Isom, as Chair of the Executive Committee of the Lexington County Republican Party,

Defendants-
Respondents.

AFFIDAVIT OF KATRINA F. SHEALY

I, Katrina F. Shealy, do swear and testify under the penalty of perjury as follows:

1. I give this affidavit by my own free will based upon my personal knowledge and recollection of the facts set forth below.

2. I am a candidate to represent District 23 in the South Carolina Senate. I meet all of the constitutional qualifications for this office.

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Exhibit A

3. At 12:23 pm on March 16, 2012, I filed my Statement of Intention of Candidacy to be a candidate in the 2012 Election with the Lexington County Republican Party.

4. Prior to filing my Statement of Intention of Candidacy, I went online to the State Ethics Commission's website and attempted to file my Statement of Economic Interests. I was not familiar with the State Ethics Commission's online filing system. I completed all fields and provided all information required by law to be contained on my Statement of Economic Interests. After completing my Statement of Economic Interests, I attempted to file it with the State Ethics Commission. In doing so, I clicked the "Save" button on the State Ethics Commission's program, which I believed completed my filing. Shortly thereafter, I filed my Statement of Intention of Candidacy with the Lexington County Republican Party.

5. I later learned that, though my Statement of Economic Interests had been saved to the State Ethics Commission's database, I needed to re-enter the program and finalize my filing. I promptly did so. My current Statement of Economic Interests can be viewed on the State Ethics Commission's website by searching under my name at the URL <http://apps.sc.gov/PublicReporting/IndSEIName.aspx>.

6. I have spoken with other candidates for the 2012 Election and have learned that numerous others made the same clerical error that I did when attempting to use the State Ethics Commission's online system.

7. I declare under penalty of perjury that the foregoing is true and correct.

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Katrina F. Shealy
Katrina F. Shealy

Sworn to before me this 24th day of April, 2012

[Signature]

Notary Public for the State of South Carolina

My Commission Expires: 10/13/15

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STATE OF SOUTH CAROLINA)
) AFFIDAVIT OF KATRINA SHEALY
COUNTY OF LEXINGTON)
)

PERSONALLY APPEARED BEFORE ME, the undersigned, who after being duly sworn, hereby deposes and states as follows:

On March 16, 2012, based on instructions from Steve Isom, the Republican Party Chairman, I traveled to the Shoney's Restaurant in West Columbia, South Carolina, at approximately 12:15 p.m. for the purpose of presenting my filing documents for my candidacy for Senate District 23.

Mr. Isom specifically designated the Shoney's Restaurant as the location for all the Lexington County Republican candidates to submit/hand over their filing documents.

I brought my folder with me to that Restaurant. My folder contained my candidacy paperwork, including my notice of candidacy and pledge, candidate filing form, and a copy of the Statement of Economic Interest form.

As for the Intention of Candidacy Form, it had not yet been signed. It was my understanding that it needed to be signed in front of a party representative.

Two people greeted me. Those two people were Mickey Lindler and Carla Hardee. I set my folder containing all of the above described documents on the table to present to Mickey Lindler. I opened the file. Mickey stated that she needed the Candidate Filing Form and the Intention of Candidacy form and Pledge.

I then signed the filing form in front of Mickey, and then she took the Candidate Filing Form and the Intention of Candidacy Form and signed them. I asked Mickey

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Exhibit B

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something to the effect: "Is that all we have to do?" Mickey Lindler's response was "yes". She kept the above described forms and she gave me copies of them.

No one asked for the Statement of Economic Interest form. There was no specific discussion of that form, but it was in my folder that I placed on the table. It remained in my folder.

The above-cited information is a true statement of the events I have described.

Patricia J. Shealy

Sworn to before me
this 8 day of May, 2012.

[Signature]
My Commission Expires: 10/20/20

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STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)

AFFIDAVIT OF CARLA H. HARDEE

PERSONALLY APPEARED before me, Carla H. Hardee, date of birth February 10, 1953, residing at 637 Lewisham Road, in Columbia, South Carolina, which is located in the County of Lexington, who first being duly sworn, deposes and states as follows:

1. THAT I am the Co-Chair of Filing for the Lexington County Republican Party. My South Carolina Voter Registration Number is 6214654.
2. THAT on March 16, 2012, from 12:00 p.m. to 4:00 p.m. I was at the Shoney's Restaurant located at 2208 B Airport Boulevard in West Columbia, South Carolina, acting in my official capacity as Co-Chair of Filing for the Lexington County Republican Party.
3. THAT working with me on March 16, 2012, was Frances "Mickey" Lindler, Chairman of Filing for the Lexington County Republican Party.
4. THAT Ms. Lindler and I were there to receive from Republican candidates for elective office(s) their forms for their Notice of Candidacy and Pledge and Statement of Intention of Candidacy - Partisan, to advise them of their responsibility to properly

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Exhibit C

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file the Statement of Economic Interest, and to offer our assistance in completing and filing the forms.

5. THAT at approximately 12:23 p.m. on March 16, 2012, Katrina Frye Shealy, who I recognized, approached our table and offered her Notice of Candidacy and Pledge and Statement of Intention of Candidacy - Partisan for the date of June 12, 2012, which Ms. Lindler corrected to November 6, 2012.
6. THAT Ms. Lindler and I simultaneously directed Ms. Shealy to the checklist that was attached to the package containing the necessary forms for each candidate. I observed Ms. Lindler accepting Ms. Shealy's Notice of Candidacy and Pledge and her Statement of Intention of Candidacy - Partisan and advising her that her Statement of Economic Interest must be filed and accompany her Statement of Intention of Candidacy - Partisan.
7. THAT Ms. Lindler offered further assistance to Ms. Shealy, whereupon Ms. Shealy responded, "I don't need your help."
8. THAT during the day, we offered assistance to all candidates and treated them uniformly.

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- 9. THAT several of the candidates submitted confirmation and/or a copy of the online filing of their Statement of Economic Interest which we accepted and attached to their other forms.

- 10. THAT at no time did Katrina Frye Shealy offer or attempt to offer to me or to Ms. Lindler her Statement of Economic Interest.

FURTHER THE AFFIANT SAYETH NOT!

Carla H. Hardee

 CARLA H. HARDEE

SWORN TO and SUBSCRIBED BEFORE me

this 15th day of May, 2012.

Annifer Dale
 _____ (L.S.)
 NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: 8/26/19

*I certify that this is
 a true copy
 Kelly [unclear]
 8/24/2012*

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Sheri Few

From: Katrina Shealy <kshealy@davisgarvin.com>
Sent: Friday, April 20, 2012 3:45 PM
To: slfew@bellsouth.net
Subject: FW: Scanned Ballot Access ethics report document
Attachments: CCF04192012_00000.jpg; CCF04192012_00001.jpg; CCF04192012_00002.jpg; CCF04192012_00003.jpg; CCF04192012_00004.jpg; CCF04192012_00005.jpg; CCF04192012_00006.jpg; CCF04192012_00007.jpg; CCF04192012_00008.jpg; CCF04192012_00009.jpg; CCF04192012_00010.jpg

Copy of forms

Katrina
Katrina Shealy
Davis Garvin Agency
803-732-8382
803-407-5444 Fax
kshealy@davisgarvin.com

From: Katrina Shealy
Sent: Thu 4/19/2012 11:38 AM
To: jsom@live.com
Subject: FW: Scanned Ballot Access ethics report document

Steve, FYI - Here is a hard copy of all my Filing forms for SC Senate District 23. Since I was required to file this information online I did not bring you the hard copy of my statment of economic interest but did have a copy on file. I also filed on line but instead hit the save button (which the SC Ethics Commission can confirm). I did not realize that the file button had not been sent until later which I promptly corrected. As is obvious there is nothing to report either way but I am sending you this information so that you have it on file.

There are a lot of loopholes in this system but I just wanted to let you know I am aware of the situation currently going on and will take necessary action as needed to persue what is needed to be done. As we all know that there was no intent to commit fraud on my part and to remove voters from the ballot would only be disenfranchising voters.

Sincerely,

Katrina Shealy

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