

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

THE SOUTH CAROLINA STATE  
CONFERENCE OF THE NAACP,

and

TAIWAN SCOTT, on behalf of himself and all  
other similarly situated persons,

*Plaintiffs,*

v.

HENRY D. MCMASTER, in his official  
capacity as Governor of South Carolina;  
HARVEY PEELER, in his official capacity as  
President of the Senate; LUKE A. RANKIN, in  
his official capacity as Chairman of the Senate  
Judiciary Committee; JAMES H. LUCAS, in  
his official capacity as Speaker of the House of  
Representatives; CHRIS MURPHY, in his  
official capacity as Chairman of the House of  
Representatives Judiciary Committee;  
WALLACE H. JORDAN, in his official  
capacity as Chairman of the House of  
Representatives Elections Law Subcommittee;  
HOWARD KNAPP, in his official capacity as  
interim Executive Director of the South  
Carolina State Election Commission; JOHN  
WELLS, JOANNE DAY, CLIFFORD J.  
ELDER, LINDA MCCALL, and SCOTT  
MOSELEY, in their official capacities as  
members of the South Carolina State Election  
Commission,

*Defendants.*

Civil Action No.: 3:21-cv-3302-JMC

**Governor McMaster's  
Answer to Amended Complaint**

Defendant Henry D. McMaster, in his official capacity as Governor of South Carolina (“Governor McMaster” or “Governor”), by and through the undersigned counsel, hereby answers and otherwise responds to Plaintiffs’ First Amended Complaint for Injunctive and Declaratory Relief (ECF No. 84) (“Complaint”). Governor McMaster’s responses are made subject to and without waiving the arguments raised in his Motion to Dismiss (ECF No. 94), and the Governor expressly reserves the right to file additional dispositive motions addressing some or all of the claims asserted in the Complaint. Except as expressly and specifically admitted, qualified, or explained herein below, Governor McMaster denies each and every allegation in the Complaint and demands strict proof thereof. With respect to the numbered paragraphs of the Complaint, inclusive of footnotes, graphics, and sources cited therein, Governor McMaster responds as follows:

**FIRST DEFENSE**

1. Paragraph 1 of the Complaint consists of legal conclusions, arguments, unwarranted inferences, editorial comments, and generalizations about complex, nonjusticiable issues, rather than allegations of fact. Governor McMaster admits that Plaintiffs filed this action related to redistricting. To the extent that Paragraph 1 contains factual allegations directed at or against Governor McMaster to which a response is necessary, Governor McMaster denies the remaining allegations. To the extent Paragraph 1 contains factual allegations about another party, person, or entity, Governor McMaster is without sufficient knowledge or information to form a belief as to the truth of the allegations.

2. Governor McMaster admits that the General Assembly passed, and that he signed into law, 2021 S.C. Acts No. 117. He denies the remaining allegations in Paragraph 2.

3. Governor McMaster admits that litigation has followed each redistricting cycle since the 1970s. He denies the remaining allegations in Paragraph 3.

4. Governor McMaster denies the allegations in Paragraph 4.

5. The requirements of the Voting Rights Act speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 5.

6. Governor McMaster denies the allegations in Paragraph 6.

7. Governor McMaster denies the allegations in Paragraph 7.

8. Governor McMaster denies the allegations in Paragraph 8.

9. This Paragraph contains legal conclusions to which no response is required. To the extent a response is required, Governor McMaster denies the allegations in Paragraph 9.

10. Governor McMaster denies the allegations in Paragraph 10.

11. Paragraph 11 of the Complaint consists of legal conclusions, arguments, unwarranted inferences, editorial comments, and generalizations about complex, nonjusticiable issues, rather than allegations of fact. Governor McMaster denies that Defendants have failed to reapportion the State's congressional districts and notes that the General Assembly is currently considering new congressional maps, as even Plaintiffs have recognized at previous points in this litigation. The Governor further denies any implication that the State intends to use the congressional districts as apportioned following the 2010 Census for the 2022 elections. Governor McMaster therefore denies that Plaintiffs are entitled to any relief they seek related to the allegations in Paragraph 11. To the extent that Paragraph 11 contains factual allegations directed at or against Governor McMaster to which a further response is necessary, Governor McMaster denies the allegations.

12. Governor McMaster denies the allegations in Paragraph 12.

13. Governor McMaster denies the allegations in Paragraph 13.

14. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 14 and therefore denies those allegations.

15. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 15 and therefore denies those allegations.

16. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 16 and therefore denies those allegations.

17. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 17 and therefore denies those allegations.

18. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 18 about where the NAACP's members live and therefore denies those allegations. Governor McMaster denies the remaining allegations in Paragraph 18.

19. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 19 and therefore denies those allegations.

20. Governor McMaster denies the allegations in Paragraph 20.

21. Governor McMaster denies the allegations in Paragraph 21.

22. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 22 and therefore denies those allegations.

23. Governor McMaster admits that he is the Governor of South Carolina and has the constitutional authority granted to him by article IV, section 21 to sign or veto legislation. He denies the remaining allegations in Paragraph 23.

24. Governor McMaster admits that President Alexander is President of the South Carolina Senate and has the authority that comes with his office as a Senator and as President of the Senate. Governor McMaster denies the remaining allegations in Paragraph 24.

25. Governor McMaster admits that Chairman Rankin is Chairman of the Senate Judiciary Committee and has the authority that comes with his office as a Senator and Chairman of the Senate Judiciary Committee. Governor McMaster denies the remaining allegations in Paragraph 25.

26. Governor McMaster admits that Speaker Lucas is Speaker of the South Carolina House of Representatives and has the authority that comes with his office as a Representative and Speaker. Governor McMaster denies the remaining allegations in Paragraph 26.

27. Governor McMaster admits that Chairman Murphy is Chairman of the Judiciary Committee of the House of Representatives and has the authority that comes with his office as a Representative and Chairman. Governor McMaster denies the remaining allegations in Paragraph 27.

28. Governor McMaster admits that Representative Jordan is Chairman of the Election Laws Subcommittee of the House of Representatives and has the authority that comes with his office as a Representative and Chairman. Governor McMaster denies the remaining allegations in Paragraph 28.

29. Governor McMaster admits that Knapp is currently serving as the acting executive director of the State Election Commission. The statutes in this Paragraph speak for themselves. Governor McMaster denies any remaining allegations in Paragraph 29.

30. Governor McMaster admits that Wells, Day, Edler, McCall, and Moseley are members of the State Election Commission. The statutes in this Paragraph speak for themselves. Governor McMaster denies any remaining allegations in Paragraph 30.

31. Governor McMaster admits Plaintiffs' Complaint purports to assert causes of action under the First, Fourteenth, and Fifteenth Amendments but denies that those claims have any merit or that Plaintiffs are entitled to any relief.

32. Paragraph 32 contains legal conclusions to which no response is required. To the extent a response is required, Governor McMaster denies the allegations in Paragraph 32.

33. Paragraph 33 contains legal conclusions to which no response is required. To the extent a response is required, Governor McMaster denies the allegations in Paragraph 33.

34. Paragraph 34 contains legal conclusions to which no response is required. To the extent a response is required, Governor McMaster denies the allegations in Paragraph 34.

35. Paragraph 35 contains legal conclusions to which no response is required. To the extent a response is required, Governor McMaster denies the allegations in Paragraph 35.

36. Governor McMaster admits that he signed 2021 S.C. Acts No. 117 into law on December 10, 2021. He denies the remaining allegations in this Paragraph.

37. Governor McMaster denies the allegations in Paragraph 37 related to 2021 S.C. Acts No. 117. The citations to other sources speak for themselves, but Governor McMaster disputes the characterizations of the same and denies that they have any legal significance here.

38. Election results speak for themselves. Governor McMaster denies any other allegations in Paragraph 38.

39. Records from the Department of Justice based on an unconstitutional formula speak for themselves. Governor McMaster denies any other allegations in Paragraph 39.

40. Records from the Department of Justice based on an unconstitutional formula speak for themselves. Governor McMaster denies any other allegations in Paragraph 40.

41. Records from the Department of Justice based on an unconstitutional formula speak for themselves. Governor McMaster denies any other allegations in Paragraph 41.

42. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, records of South Carolina election laws speak for themselves. Governor McMaster denies any other allegations in Paragraph 42.

43. Governor McMaster admits that plaintiffs have filed lawsuits after each redistricting cycle since the 1970s but disputes the characterizations of legal decisions or that judicial adjudication was necessary. He denies the remaining allegations in Paragraph 43.

44. Governor McMaster admits that plaintiffs have filed lawsuits after each redistricting cycle since the 1970s. He denies the remaining allegations in Paragraph 44.

45. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 45.

46. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 46.

47. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process,

as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 47.

48. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 48.

49. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 49.

50. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 50.

51. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 51.

52. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 52.

53. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 53.

54. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 54.

55. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 55.

56. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 56 and therefore denies those allegations.

57. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 57 and therefore denies those allegations.

58. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the Senate redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 58.

59. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 59 and therefore denies those allegations.

60. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the Senate redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 60.

61. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the Senate redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 61.

62. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 62 and therefore denies those allegations.

63. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the Senate redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 63.

64. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the Senate redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 64.

65. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the Senate redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 65.

66. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the Senate redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 66.

67. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 67.

68. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 68.

69. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 69 and therefore denies those allegations.

70. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 70 and therefore denies those allegations.

71. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 71 and therefore denies those allegations.

72. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 72 and therefore denies those allegations.

73. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 73 and therefore denies those allegations.

74. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 74.

75. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 75.

76. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 76.

77. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 77.

78. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 78.

79. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process,

as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 79.

80. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 80.

81. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 81.

82. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 82.

83. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 83.

84. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 84.

85. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 85.

86. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 86.

87. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 87.

88. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 88.

89. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 89.

90. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process,

as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 90.

91. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 91.

92. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 92.

93. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 93.

94. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 94.

95. Governor McMaster admits the allegation in Paragraph 95.

96. Governor McMaster denies that Defendants have failed to reapportion the State's congressional districts and notes that the General Assembly is currently considering new congressional maps, as even Plaintiffs have recognized at previous points in this litigation. The Governor further denies any implication that the State intends to use the congressional districts as

apportioned following the 2010 Census for the 2022 elections. Except as expressly admitted, Governor McMaster denies the allegations in Paragraph 96.

97. Governor McMaster admits the allegations in Paragraph 97.

98. The dockets of previous cases speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 98.

99. Governor McMaster denies the allegations in Paragraph 99.

100. Governor McMaster denies the allegations in Paragraph 100.

101. Governor McMaster denies the allegations in Paragraph 101.

102. Governor McMaster denies the allegations in Paragraph 102.

103. Governor McMaster denies the allegations in Paragraph 103.

104. Governor McMaster denies the allegations in Paragraph 104.

105. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 105.

106. Governor McMaster admits the State's population grew between 2010 and 2020. Except as expressly admitted, Governor McMaster denies the allegations in Paragraph 106.

107. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 107.

108. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process,

as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 108.

109. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 109.

110. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 110 and therefore denies those allegations.

111. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 111.

112. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 112.

113. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 113.

114. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process,

as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 114.

115. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 115.

116. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 116.

117. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 117.

118. Governor McMaster lacks sufficient knowledge or information related to the allegations in Paragraph 118 and therefore denies those allegations.

119. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 119.

120. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process,

as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 120.

121. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 121.

122. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 122.

123. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 123.

124. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 124.

125. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 125.

126. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 126.

127. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 127.

128. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 128.

129. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 129.

130. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 130.

131. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process,

as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 131.

132. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 132.

133. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 133.

134. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 134.

135. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 135.

136. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 136.

137. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 137.

138. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 138.

139. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 139.

140. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 140.

141. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 141.

142. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process,

as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 142.

143. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 143.

144. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 144.

145. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 145.

146. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 146.

147. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 147.

148. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 148.

149. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 149.

150. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 150.

151. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 151.

152. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 152.

153. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process,

as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 153.

154. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 154.

155. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 155.

156. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 156.

157. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 157.

158. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 158.

159. The allegations in this Paragraph do not appear directed at Governor McMaster. To the extent a response is required, the House of Representatives redistricting criteria and process, as well as the provisions of 2021 S.C. Acts No. 117 as passed by the General Assembly, speak for themselves. Governor McMaster denies the remaining allegations in Paragraph 159.

160. Governor McMaster incorporates his answers to the preceding Paragraphs as if fully set forth here.

161. The Fourteenth Amendment speaks for itself. Governor McMaster denies any remaining allegations in Paragraph 161 inconsistent therewith.

162. Judicial interpretation of the Equal Protection Clause speaks for itself. Governor McMaster denies any remaining allegations in Paragraph 162.

163. This Paragraph contains legal conclusions to which no response is required. To the extent a response is required, Governor McMaster denies the allegations in Paragraph 163.

164. This Paragraph contains legal conclusions to which no response is required. To the extent a response is required, Governor McMaster denies the allegations in Paragraph 164.

165. This Paragraph contains legal conclusions to which no response is required. To the extent a response is required, Governor McMaster denies the allegations in Paragraph 165.

166. This Paragraph contains legal conclusions to which no response is required. To the extent a response is required, Governor McMaster denies the allegations in Paragraph 166.

167. This Paragraph contains legal conclusions to which no response is required. To the extent a response is required, Governor McMaster denies the allegations in Paragraph 167.

168. Governor McMaster incorporates his answers to the preceding Paragraphs as if fully set forth here.

169. Judicial interpretation of the Equal Protection Clause speaks for itself. Governor McMaster denies any remaining allegations in Paragraph 169.

170. Governor McMaster denies the allegations in Paragraph 170.

171. Governor McMaster denies the allegations in Paragraph 171.

172. Governor McMaster denies the allegations in Paragraph 172.

173. This Paragraph contains legal conclusions to which no response is required. To the extent a response is required, Governor McMaster denies the allegations in Paragraph 173.

174. The First Amendment and judicial interpretation of the Fourteenth Amendment speak for themselves. Governor McMaster denies any remaining allegations in Paragraph 172.

175. Governor McMaster denies the allegations in Paragraph 175.

176. Governor McMaster denies the allegations in Paragraph 176.

177. Governor McMaster denies the allegations in Paragraph 177.

178. Governor McMaster denies the allegations in Paragraph 178.

### **SECOND DEFENSE**

Governor McMaster cannot be sued based his authority to “on extraordinary occasions convene the General Assembly in extra session.” S.C. Const. art. IV, § 19.

### **THIRD DEFENSE**

Governor McMaster is protected by legislative privilege and legislative immunity and entitled to summary dismissal from this case.

### **FOURTH DEFENSE**

Governor McMaster is not a proper defendant here because he does not have the relevant or requisite responsibility for carrying out the State’s election laws.

**FIFTH DEFENSE**

Plaintiffs' Complaint should be dismissed under Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim against Governor McMaster upon which relief can be granted.

**SIXTH DEFENSE**

Plaintiffs are not entitled to injunctive relief of any kind because they are not likely to succeed on the merits, they cannot demonstrate irreparable harm, the balance of the equities does not tip in their favor, and an injunction would not be in the public interest.

**SEVENTH DEFENSE**

Plaintiffs' claim for injunctive relief fails because they raise nonjusticiable political questions and seek relief that violates the doctrines of separation of powers, federalism, and comity.

**EIGHTH DEFENSE**

Plaintiffs lack standing to bring the instant action and the claims asserted are either not yet ripe or are now moot and may be barred by the doctrine of sovereign immunity.

**NINTH DEFENSE**

To the extent any specific parts of 2021 S.C. Acts No. 117 are found unconstitutional, the remaining parts are severable.

**TENTH DEFENSE**

Governor McMaster expressly adopts and incorporates by reference any and all applicable defenses asserted by other Defendants that are not otherwise specifically set forth in this Answer.

**ELEVENTH DEFENSE**

Governor McMaster expressly reserves the right to amend his Answer and assert any further affirmative defenses that arise during discovery or based on his investigation of the case or other relevant factual developments.

**WHEREFORE**, Governor McMaster respectfully requests that the Court dismiss Plaintiffs' Complaint with prejudice or otherwise deny the relief Plaintiffs seek, enter judgment in Defendants' favor on all counts, and award Governor McMaster and the remaining Defendants any relief that the Court deems equitable, just, and proper.

Respectfully submitted,

s/Wm. Grayson Lambert

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January 17, 2022

Columbia, South Carolina