ELECTRONICALLY FILED - 2018 Oct 16 1:24 PM - GREENVILLE - COMMON PLEAS - CASE#2018CP2305309

STATE OF SOUTH CAROLINA COUNTY OF GREENVILLE **LUCAS MARCHANT**, *Plaintiff,* v. **JOHN DOE and JOHN DOE d/b/a DEMOCRATS FOR MARCHANT,** *Defendants*	IN THE COURT OF COMMON PLEAS FOR THE THIRTEENTH JUDICIAL CIRCUIT **SUMMONS**

TO: THE DEFENDANTS ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your Answer to the said Complaint upon the subscribers, Kendrick & Leonard, P.C., at mailing address Post Office Box 6938, Greenville, South Carolina, 29606 –OR- 506 Pettigru Street, Greenville, South Carolina 29601, within thirty (30) days after service hereof, and if you fail to answer the Complaint within the time aforesaid, the Plaintiff will apply to the Court for a judgment by default against you for the relief demanded in the Complaint.

Respectfully Submitted,

s/ Joshua Snow Kendrick
Joshua Snow Kendrick (SC Bar 70453)
KENDRICK & LEONARD, P.C.
506 Pettigru Street (29601)
P.O. Box 6938
Greenville, SC 29606
Tel: (864) 760-4000
Josh@KendrickLeonard.com

October 16, 2018
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STATE OF SOUTH CAROLINA COUNTY OF GREENVILLE **LUCAS MARCHANT**, *Plaintiff,* v. **JOHN DOE and JOHN DOE d/b/a DEMOCRATS FOR MARCHANT,** *Defendants*	IN THE COURT OF COMMON PLEAS FOR THE THIRTEENTH JUDICIAL CIRCUIT **COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

Plaintiff, through his undersigned counsel, alleges the following:

PARTIES AND JURISDICTION

1. Plaintiff is a resident of Greenville County, South Carolina.
2. Defendants, upon information and belief, are residents of Greenville County, South Carolina.
3. Defendants' identities are unknown but easily ascertained by subpoena.
4. This Court has jurisdiction over the parties and subject matter of this action.

FACTS

5. Plaintiff is currently a candidate for the office of 13th Circuit Solicitor.
6. Plaintiff entered the race for Solicitor after the close of party filing, which meant he was unable to run in the primary.
7. As a petition candidate, Plaintiff had to obtain 10,000 signatures of registered voters in Greenville and Pickens Counties in a short period of time to appear on the ballot.
8. Plaintiff easily met this requirement, obtaining nearly 13,000 signatures prior to the deadline.
9. Plaintiff is now the only candidate running against the incumbent, Walt Wilkins, in the November 6th election. Wilkins has served two terms with no prior competition from any candidate.

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10. As a petition candidate, Plaintiff has garnered support from a wide variety of citizens of all races, political affiliations, socioeconomic status, and other characteristics.
11. Defendant John Doe has set up a Facebook page known as "Democrats for Marchant" which purports to be a group of Democrats supporting Plaintiff.
12. Upon information and belief, this page is not run by a group of Democrats supporting Marchant.
13. The Facebook page is attempting to polarize the Solicitor's race and trick people into avoiding voting for Plaintiff.
14. For example, the page invokes the recent confirmation battle over Supreme Court Justice Brett Kavanaugh, implying Plaintiff believed Justice Kavanaugh should not have been confirmed and was guilty of the crimes for which he was accused. In a heavily Republican voting area, this is specifically intended to build public sentiment against Plaintiff.
15. In another example, the page depicts perfectly legally placed campaign yard signs and falsely states they are illegally blocking public rights of way, implying the signs should be removed.
16. A review of the comments on this page reveals commenters are angrily deciding not to vote for Plaintiff based on the positions claimed on the page.
17. None of those positions stated on the Democrats for Marchant Facebok page are true or accurate nor does Plaintiff have anything to do with the page.

FOR A FIRST CAUSE OF ACTION

(Request for Injunctive Relief)

18. Plaintiff will suffer irreparable harm from the Defendants' actions. As an active candidate for elected office, Plaintiff is directly affected by the lies being spread by Defendant. Should the Defendants continue their activity, there will be no way to repair that damage nor will the Court be able to enforce a monetary judgment that would make Plaintiff whole again.
19. Plaintiff will likely succeed on the merits of this case. Defendants' actions violate South

Carolina laws related to ethics, elections, and criminal acts.

20. There will be no adequate remedy at law for Plaintiff based on the timing of the impending election.

21. Because Plaintiff meets all the elements of South Carolina's law for the issuance of an injunction, he specifically requests this Court issues an Order enjoining Defendants from the following behavior:

    a. Publicizing opinions and claiming they have been made by the Plaintiff.

    b. Defrauding the public with false messages regarding campaign activity.

    c. Making any further false or fraudulent statements.

FOR A SECOND CAUSE OF ACTION

(Request for Declaratory Relief)

22. Pursuant to S.C. Code § 15-53-20, et seq., also known and the Uniform Declaratory Judgments Act, this Court has jurisdiction to declare rights, status, and other legal obligations among parties.

23. The anonymous, false statements on the Democrats for Marchant Facebook page violate South Carolina Code § 8-13-1324 as they are anonymous campaign contributions.

24. This Court should declare the Defendants have violated South Carolina Code § 8-13-1324 and any other laws related to elections the Defendants are determined to have violated during the discovery process.

25. The Court should declare the Defendants have fraudulently sought to influence an election.

Having fully pled his causes of actions, Plaintiff respectfully requests this Court issues both injunctive and declaratory relief as requested in this Complaint.

Plaintiff further requests the costs of this action and any other relief the Court deems just and proper.

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