

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

**Twanda Marshinda Brown, et al.;**

Plaintiffs,

v.

**Lexington County, South Carolina, et al.;**

Defendants.

Case No. 3:17-cv-01426-SAL

**Declaration of David Allen Chaney Jr.,  
Esq.**

*I, David Allen Chaney Jr., certify under penalty of perjury that the following statements are true and correct pursuant to 28 U.S.C. § 1746.*

1. My name is David Allen Chaney Jr., and I go by “Allen.” I am older than eighteen years of age. The statements in this declaration are based upon my own personal knowledge.
2. I am an attorney in good standing in this Court and represent the Plaintiffs in this matter.
3. On Tuesday February 14, 2023, I received a Notice of Electronic Filing (NEF) regarding the Court’s preliminary approval of the class action settlement in this matter. ECF No. 360.
4. The Court’s Text Order instructed the parties to “plac[e] notice in The State no later than February 13, 2023,” and to “have the notice run on three separate days over a one-week period, including a Sunday.” ECF No. 360.
5. Upon receipt of the Court’s Order, I immediately arranged for publication of the notice of class action settlement in The State. I uploaded the notice, which substantially tracked

the draft notice provided as Exhibit 2 to the January 20, 2023, Marshall Declaration, ECF No. 348-3, through The State's online portal for publishing legal notices.<sup>1</sup>

6. The earliest date for publication that The State could accommodate was Thursday, February 16, 2023. Because the parties did not receive the NEF for ECF No. 360 until February 14, 2023, it was impossible to adhere to the Court's order to place notice "no later than February 13, 2023."

7. Based on the available dates and in a good faith attempt to comply with the Court's order, I arranged for publication on Thursday (February 16, 2023), Sunday (February 19, 2023), and Tuesday (February 21, 2023).

8. After the first publication date of February 16, 2023, I noticed that the objection deadline stated in the notice listed February 24, 2023, three days earlier than the objection deadline requested by the Court of February 27, 2023. *See* ECF No. 360. I subsequently contacted The State and requested that the notice be amended for the second two publication dates.

9. When I received an affidavit on February 22, 2023 stating that the notice was successfully posted on each of the 3 assigned days, it became apparent that the modification of the objection deadline had not been incorporated.

10. Plaintiffs' counsel will bring any and all objections we receive to the Court's attention, regardless of when those objections are received. As of the signing of this declaration, no such objections have been received.

11. I have attached to this declaration the receipt showing payment for publication on February 14, 2023, **Exhibit A**, and an affidavit from Tara Pennington reflecting publication in The State on each of the three dates, **Exhibits B**.

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<sup>1</sup> Available at: <https://placelegal.mcclatchy.com/legals/columbia/index.html>

Date: February 22, 2023



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