

IN THE SUPREME COURT )

Action No. 10 SSC 001 )

Rick Ingram, )

Plaintiff )

versus )

Andrew Phillips, )

Chairperson, Board of Elections )

Defendant. )

---

ORDER GRANTING  
PLAINTIFF'S REQUEST  
TO DISMISS HIS  
COMPLAINT

## I. BACKGROUND

- (1) On February 7, 2011, Plaintiff, Rick Ingram, notified this Court of his intent to bring an action against Board of Elections Chair Andrew Phillips and six other members of the Board. In his Complaint, Plaintiff sought to have the Court immediately vacate the Board of Elections' decision to investigate Plaintiff's potential disqualification as a Student Body President candidate. Alternatively, Plaintiff requested the Court issue a temporary injunction under III S.G.C. § 410(A) (2009), requiring that the election be postponed until the matter is settled so as not to disrupt the integrity of the election process. See Complaint of Ingram, *Ingram v. Phillips, et al.*, 10 SSC 001 (2011).
- (2) On February 9, 2011, six out of seven Defendants filed timely answers with the Court. Five Defendants-- Shruthi Sundaram, Connor Brady, Keyoor Patel, Cydney Swofford, and Patricia Flood—asserted in their respective Answers that, pursuant to III S.G.C. § 510(B)(3) (2009), all Defendants but Chairperson Andrew Phillips were unnecessary Defendants.<sup>1</sup> See, e.g., Answer of Sundaram, ¶¶ 3, *Ingram v. Phillips, et al.*, 10 SSC 001 (2011).
- (3) On February 9, 2011 the Court found Defendants Sundaram, Brady, Patel, Swofford, and Flood to be improper Defendants, and, per III S.G.C. § 511(B) (2009), the Court issued an Order dismissing them from the case. In the same Order, the Court also dismissed Defendant Wood from the case on grounds that Defendant Wood was a person on neither the Board of Elections nor a member of the University Student Body.

---

<sup>1</sup> Defendant Wood could not be served, and after a reasonable investigation, Chief Clerk Michael Gordon found that no such person serves on the Board of Elections or exists in the University student body. As such, there is no answer from Defendant Wood. Additionally, Chair Phillips admitted he is a necessary Defendant in the suit. See Answer of Phillips, ¶ 3, *Ingram v. Phillips, et al.*, 10 SSC 001 (2011).

- (4) On Thursday, February 10, 2011, Plaintiff filed a timely motion to amend his Complaint, citing that since the contested disqualification hearing had already taken place, “immediate vacation of the Board of Election’s [sic] investigation into the plaintiff is no longer possible.” See Motion to Amend of Ingram, ¶¶ 1, 4, *Ingram v. Phillips, et al.*, 10 SSC 001 (2011).
- (5) On Friday, February 11, 2011, Plaintiff timely filed an amended Complaint with the Court.
- (6) On Sunday, February 20, 2011, Plaintiff notified this Court of his intent to withdraw voluntarily his Complaint. *See* Withdrawal of Complaint, *Ingram v. Phillips, et al.*, 10 SSC 001, (2011).

## II. ORDER

ACCORDINGLY,

Plaintiff’s voluntary request to withdraw his Complaint is hereby GRANTED and 10 SSC 001 is DISMISSED.

Done this 20th day of February 2011, at 9:52 p.m.

/s/Jessica E.H. Womack  
Jessica E.H. Womack, C.J.  
for the Court