

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

**KIMBERLY BILLUPS, MICHAEL  
WARFIELD, and MICHAEL NOLAN,**

**Plaintiffs,**

**v.**

Civil Action No. 2:16-cv-00264

**CITY OF CHARLESTON, SOUTH  
CAROLINA**

**Defendant.**

**PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, Plaintiffs Kimberly Billups, Michael Warfield, and Michael Nolan, through their undersigned counsel, respectfully move this Court to grant summary judgment in favor of Plaintiffs in the above-captioned action and (1) enter a declaratory judgment that, facially and as applied to Plaintiffs, the City of Charleston's tour-guide-licensing regime, codified at Charleston City Code sections 29-58 to -63 and section 29-66, together with the definition of "registered tour guide" contained in section 29-2, violates the First Amendment to the U.S. Constitution; (2) enter a permanent injunction prohibiting Defendant from enforcing these provisions of the Charleston City Code; and (3) award each plaintiff one dollar (\$1) in nominal damages, along with any other legal or equitable relief the

Court may deem just or appropriate. This Motion is based on the accompanying Memorandum of Law in Support of Motion for Summary Judgment, the accompanying Statement of Undisputed Material Facts, and the accompanying declarations and exhibits.

Dated this 27th day of January, 2017.

Respectfully submitted,

**/s/ Arif Panju**

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 27th day of January, 2017, I caused the foregoing Plaintiffs' Motion for Summary Judgment to be filed via ECF and that the Court's ECF system automatically served counsel for Defendant.

**/s/ Sean A. O'Connor**

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