



THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHALESTON COUNTY
In the Court of Common Pleas for the Ninth Judicial Circuit
The Honorable Bentley Price, Circuit Court Judge

Appellate Case No. 2022-000038

Clam Farm Partnership, LLC.....Respondent,

v.

The South Carolina Department of Health and Environmental
Control, Office of Ocean and Coastal Resource Management,
Charleston County and The City of Folly Beach.....Defendants

Of which The South Carolina Department of Health and
Environmental Control Office of Ocean and Coastal Resource
Management and The City of Folly Beach are theAppellants

**RESPONDENT CLAM FARM PARTNERSHIP, LLC’S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

WOMBLE BOND DICKINSON (US) LLP
Matthew E. Tillman, SC Bar No. 70338
Daniel Q. Orvin, SC Bar No. 13744
5 Exchange Street
P.O. Box 999
Charleston, SC 29402
Telephone (843) 722-3400
Facsimile (843) 723-7398

Attorneys for the Respondent

Respondent Clam Farm Partnership, LLC proposes the following be included in the Record on Appeal:

Orders, Judgments, Decrees, or Decisions

1. Order Granting Plaintiff's Motion for Partial Summary Judgment and Preliminary Injunction, filed Nov. 18, 2021.
2. Order Denying City of Folly Beach's Motion to Reconsider, filed Dec. 14, 2021;
3. Order Denying The South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management's ("**OCRM**") Motion to Reconsider, filed Dec. 14, 2021;
4. Amended Final Order and Order Granting Petitioner's Motion for Reconsideration, Administrative Law Court, Docket No. 21-ALJ-07-0145-CC, dated April 20, 2022;

Pleadings

5. Summons and Complaint, filed February 5, 2021;
6. Respondent OCRM's Answer to Complaint, filed April 26, 2021;

Other Materials and Documents

7. Plaintiff's Motion for Partial Summary Judgment and for Preliminary Injunction, including all exhibits 1-22, filed June 17, 2021;
8. Plaintiff's Reply to OCRM and The City of Folly Beach's Memoranda in Opposition to Motion for Partial Summary Judgment and for Preliminary Injunction, filed September 23, 2021;
9. Defendant OCRM's Verified Petition for Supersedeas Pending Appeal, filed September 23, 2021.

I certify that this Designation of Matter contains no matter which is irrelevant to this appeal.

WOMBLE BOND DICKINSON (US) LLP

S/Matthew Tillman

Matthew Tillman, SC Bar No. 70338

Daniel Q. Orvin, SC Bar No. 13744

5 Exchange Street

P.O. Box 999

Charleston, SC 29402

Telephone (843) 722-3400

Facsimile (843) 723-7398

Attorneys for the Respondent

July 15, 2022

Charleston, South Carolina