

**RECEIVED**

**Jun 23 2023**

**S.C. SUPREME COURT**

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

APPEAL FROM GEORGETOWN COUNTY  
Court of Common Pleas  
The Honorable R. Kirk Griffin, Circuit Court Judge

Case No. 2019-CP-22-00212  
Appellate Case No. 2023-00646

The Gulfstream Café, Inc. ....Appellant,

v.

Georgetown County; Georgetown County Council;  
and Steve Goggans, individually and in his official  
capacity as Georgetown County Councilmember..... Respondents.

**APPELLANT’S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

Appellant proposes the following to be included in the Record on Appeal:

1. Complaint and Summons filed March 6, 2019
2. Defendants’ Answer filed April 11, 2019
3. Defendants’ Motion to Dismiss from the Complaint Counts II, III, IV, V, and VIII (Rule 12(B)(6), SCRCP) filed April 11, 2019
4. Defendants’ Memorandum in Support of Their Motion to Dismiss (Rule 12(b)(6), SCRCP) filed April 11, 2019
5. Plaintiff’s Response in Opposition to Defendants’ Motion To Dismiss (Rule 12(b)(6), SCRCP) filed May 13, 2019
6. Form 4 Order Denying Defendant’s Motion to Dismiss filed May 23, 2019
7. Defendants’ Motion for Protective Order filed March 5, 2021

8. Plaintiff's Response to Defendants' Motion for Protective Order Regarding Legislative Privilege filed March 30, 2021
9. Defendants' Supplement to Their Memorandum of Law in Support of Their Motion for Protective Order Filed on March 5, 2021, filed March 30, 2021
10. Order Partially Granting and Partially Denying Defendants' Motion for Protective Order Regarding Legislative Privilege filed April 15, 2021
11. Defendants' Amended Answer filed August 11, 2021
12. Defendants' Motion for Summary Judgment filed October 22, 2021
13. Defendants' Memorandum in Support of Their Motion for Summary Judgment filed October 22, 2021
14. Notice of Filing of Additional Exhibits to Defendants' Memorandum in Support of Their Motion for Summary Judgment filed October 22, 2021
15. Plaintiff's Response to Defendants' Motion for Summary Judgment filed November 22, 2021
16. Plaintiff's Supplemental Exhibit in Support of Plaintiff's Response to Defendants' Motion for Summary Judgment filed December 6, 2021
17. Consent Motion to Dismiss Defendants John Thomas, Ron Charlton, Lillie Johnson, Austin Beard, and Louis Morant, Individually and in Their Official Capacity as Georgetown County Councilmembers filed December 13, 2021
18. Consent Order of Dismissal of Defendants John Thomas, Ron Charlton, Lillie Johnson, Austin Beard, and Louis Morant, Individually and in Their Official Capacity as Georgetown County Councilmembers (With Prejudice) filed December 14, 2021
19. Plaintiff's Supplemental Exhibits in Support of Plaintiff's Response to Defendant's Motion for Summary Judgment filed January 13, 2022
20. Plaintiff's Supplemental Exhibits in Support of Plaintiff's Response to Defendant's Motion for Summary Judgment filed January 24, 2022
21. Form 4 Order Denying Defendant Georgetown County's Motion for Summary Judgment filed January 28, 2022
22. Order Denying Defendants' Motion for Summary Judgment filed February 9, 2022

23. Plaintiff's Pre-Trial Brief, March 16, 2022
24. Defendant's Pre-Trial Brief Rule 16(c), SCRCF, March 16, 2022
25. Defendants' Motion in Limine filed August 24, 2022
26. Defendants' Pre-Trial Brief, August 24, 2022
27. Plaintiff's Motions in Limine filed August 26, 2022
28. Plaintiff's Amended Pre-Trial Brief, August 26, 2022
29. Defendants' Memorandum of Law in Support of Their Motion in Limine filed August 29, 2022
30. Defendants' Supplement to Their Pre-Trial Brief, August 29, 2022
31. Receipt for Exhibits for Trial filed September 1, 2022
32. Witness Form for Non-Jury Trial filed September 1, 2022
33. Plaintiff's Post-Trial Brief filed September 15, 2022
34. Defendants' Post-Trial Brief filed September 15, 2022
35. Defendants' Reply to Plaintiff's Post-Trial Brief filed September 27, 2022
36. Plaintiff's Post-Trial Reply Brief filed September 27, 2022
37. Order Finding In Favor of Defendants on All Causes of Action filed February 3, 2023
38. Plaintiff's Motion to Alter or Amend Judgment filed February 13, 2023
39. Defendants' Motion for Costs filed February 13, 2023
40. Defendants' Response to Plaintiff's Motion to Alter or Amend Judgment filed March 3, 2023
41. Plaintiff's Reply in Support of Motion to Alter or Amend filed March 13, 2023
42. Plaintiff's Response to Defendants' Motion for Costs filed March 15, 2023
43. Order Denying Motion to Amend or Alter Order filed April 3, 2023
44. Notice of Appeal filed April 24, 2023

45. Order Granting Defendants' Motion for Costs filed May 26, 2023
46. Trial Transcript of Record for August 29–September 1, 2022 and Reporter Certificate, April 6, 2023
47. August 2022 Trial Exhibits from Clerk's File, September 1, 2022
48. Amended Notice of Appeal filed June 7, 2023

I certify that this designation contains no matter which is irrelevant to this appeal.

*s/ Sean M. Foerster*  
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