

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE RICHLAND COUNTY
Court of Common Pleas

Circuit Court Judges

Case No. 2013-001096

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JUL 31 2013
SC Court of Appeals

Phillip Morgan, Individually and on Behalf of All Similarly Situated
Plaintiffs,.....Appellant

v.

Office of the Governor, South Carolina Department of Revenue, South Carolina Division of
State Information Technology, and Trustwave Holdings,
Inc.,.....Respondents.

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

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

1. Amended Complaint (Filed November 5, 2012)
2. Motion to Dismiss from Defendant South Carolina Division of State Information Technology (Filed December 4, 2012)
3. Motion to Dismiss from Defendants Governor Haley, Director Etter, and the South Carolina Department of Revenue (Filed December 6, 2012)
4. Motion to Dismiss from Defendant Trustwave (Filed December 21, 2012)
5. Department of Revenue's Responses to Plaintiff's First Requests to Admit (January 18, 2013)
6. Defendant South Carolina Division of State Information Technology's Responses to Plaintiff's First Requests to Admit (January 18, 2013)

7. Exhibit B to Defendant Trustwave's original Memorandum in Support of Motion Dismiss, Affidavit of Alice Geene, Esquire (February 4, 2013)
8. Exhibit I to Plaintiff's Original Memorandum in Opposition to Defendants' Motions Submitted to the Circuit Court, Affidavit of Hoyt L. Kesterson (February 4, 2013)
9. Transcript of Record (Hearing) February 7, 2013: Pages 3-67
10. Order Granting Motion to Dismiss the Department of Revenue and the Office of the Governor (Filed February 27, 2013)
11. Order Granting Trustwave Defendants' Motion to Dismiss (Filed February 27, 2013)
12. Order Granting the South Carolina Division of State Information Technology's Motion to Dismiss (Filed February 27, 2013)
13. Amended Motion for Reconsideration (Filed March 13, 2013)
14. Order Denying Plaintiff's Motion to Reconsider (Filed April 16, 2013)



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July 7, 2013

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PROOF OF SERVICE

I CERTIFY THAT I HAVE SERVED THE Initial Brief of Appellant and
Designation of Matter to be Included in the Record on Appeal on Respondents, Office of
the Governor, South Carolina Department of Revenue, South Carolina Division of State
Information Technology, and Trustwave Holdings, by depositing a copy of the same in the
United States Mail, postage prepaid, on July 26, 2013, to their attorneys of record as
follows:

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SC Court of Appeals

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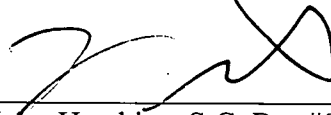
[SIGNATURE PAGE FOLLOWS]

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SC Court of Appeals

Respectfully submitted,



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