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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

ON CERTIFIED QUESTION
From the United States District Court
for the District of South Carolina

The Honorable Mary Geiger Lewis
District Court Case No. 3:22-cv-03898-MGL

Appellate Case No. 2024-001240

William M. Luce, on behalf of himself and all similarly situated
natural persons, Plaintiff,

v.

Lexington County Health Services District, Inc., Brian D. Smith in both his
official and individual capacity, and Lynn Coggins in both her official and
individual capacity, Defendants.

JOINT MOTION TO SUBMIT MATERIALS AS RECORD ON APPEAL

Pursuant to Rules 240 and 244(b), SCACR, the parties, through their undersigned attorneys, respectively move this Court to permit the submission of a Record of Appeal consisting of the documents identified by the United States District Court in its July 25, 2024 Order Certifying Question to the South Carolina Supreme Court and that were to be forwarded to this Court by Clerk of Court for the District Court. [p. 5] The one sealed document referenced in the July 25th Order will be separately filed as a Sealed Supplement to Record on Appeal. Submission of the above-referenced materials as the Record on Appeal will allow the parties to reference them in their Final Briefs and for the Court to more conveniently review the relevant documents. With the Court’s permission, Plaintiff will serve and file the Record on Appeal and Sealed Supplement

to Record on Appeal with his Final Brief within seven days after the Court's ruling on this motion. Pursuant to Rule 244(e), SCACR, Defendants will serve and file their responsive brief within thirty days after service of Plaintiff's brief.

A proposed Order is respectfully offered for the Court's consideration.

Respectfully submitted,

s/ Shaun C. Blake

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October 7, 2024
Columbia, South Carolina

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ORDER

By order dated September 11, 2024, the Court accepted to answer, pursuant to Rule 244, SCACR, a question certified by the Honorable Mary Geiger Lewis, United States District Court for the District of South Carolina, Columbia Division. The parties have jointly moved the Court to submit a Record on Appeal and Sealed Supplement to Record on Appeal containing the documents identified in the District Court’s July 25, 2024 Order Certifying Question to the South Carolina Supreme Court. For good cause shown, the Court grants the joint motion. Plaintiff shall serve and file the Record on Appeal and Sealed Supplement to Record on Appeal along with his Final Brief within seven days of the date of this Order. Pursuant to Rule 244(e), SCACR, Defendants shall serve and file their responsive brief within thirty days after service of Plaintiff’s brief.

FOR THE COURT

Columbia, South Carolina
October __, 2024