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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM RICHLAND COUNTY
Kristi F. Curtis, Circuit Court Judge

Appellate Case No. 2024-001321
Civil Action No. 2016-CP-40-06276

OPTERNATIVE, INC.,
Appellant,

v.

SOUTH CAROLINA BOARD OF MEDICAL EXAMINERS AND SOUTH CAROLINA
DEPARTMENT OF LABOR, LICENSING, AND REGULATION,
Respondents,

and

SOUTH CAROLINA OPTOMETRIC PHYSICIANS ASSOCIATION,
Respondent-Intervenor.

DESIGNATION OF MATTER FOR THE RECORD ON APPEAL

Pursuant to Rule 209, SCACR, Appellant Opternative designates the following matter for inclusion in the record on appeal. Undersigned counsel certifies that the designation contains no matter irrelevant to the appeal:

Orders

- Statement of Judgment (6.19.24)
- Order Granting Defendant-Intervenor SCOPA's Motion for Summary Judgment and Denying Plaintiff Opternative's Motion for Summary Judgment (7.18.24)

Transcripts

- Hearing on Defendant-Intervenor SCOPA's and Plaintiff Opternative's Cross-Motions for Summary Judgment (5.3.24)

Exhibits

- Affidavits:
 - Affidavit of Edward Chaum
 - Affidavit of Daniel Bodde
 - Affidavit of Paul Foley (and Exhibits)
 - Affidavit of Joshua Windham (and Exhibits)
 - Affidavit of Christopher O'Brien (and Exhibits)
 - Second Affidavit of Christopher O'Brien
 - Affidavit of Mark Robinson
 - Affidavit of Melvin Shipp
- Depositions:
 - Deposition of Jackie Rivers (and Exhibits)
 - Deposition of Michael Zolman (and Exhibits)
 - Deposition of Darra Coleman, 30(b)(6) Witness for Defendants (and Exhibits)
 - Deposition of Melvin Shipp (and Exhibits)
 - Deposition of Mark Robinson (and Exhibits)
 - Deposition of Joel Stonedale, 30(b)(6) Witness for Plaintiff (and Exhibits)

Respectfully submitted,

[SIGNATURE PAGE ATTACHED]

Institute for Justice
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