

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

The Honorable Circuit Court Judge Jean Toal

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Case No. 2023-001733

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Jian-Yun (John) Dong, M.D., Ph.D.,

Appellant,

v.

Medical University of South Carolina,

Respondent.

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**SECOND MOTION TO STRIKE RECORD ON APPEAL**

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Respondent Medical University of South Carolina (“MUSC”), through its undersigned counsel, hereby moves to strike the “Final Record on Appeal” (hereinafter the “Record”) filed by Appellant on November 27, 2024. The Record filed by Appellant fails to comply with Rule 210, SCACR.

The Record fails to include all items contained in Respondent’s Designation of Matter to Be Included in the Record on Appeal filed by Respondent on June 14, 2024, and, therefore, fails to comply with Rule 210(c), SCACR (“The Record on Appeal *shall* include all matter designated to be included by *any party* under Rule 209 . . . .”) (emphasis added). The following is a list of items contained in Respondent’s Designation of Matter to Be Included in the Record on Appeal but omitted from the Record filed by Appellant on November 27, 2024 (items are labeled and

numbered below as they appear in Respondent's Designation of Matter to Be Included in Record on Appeal):

**ORDERS**

5. Order filed October 4, 2019.

**PLEADINGS**

5. Plaintiff's Motion to Expand Discovery Schedule Due to COVID-19 Pandemics filed January 11, 2021.
6. Plaintiff's Second Motion to Compel for Production filed January 20, 2021.
7. Plaintiff's Motion to Amend Discovery Restrictions and Schedule.
19. Plaintiff's Motion for Extension of Time for Discovery filed February 22, 2022.
21. Defendant's Memorandum in Support of Summary Judgment filed March 31, 2023, and related exhibits.

Additionally, the following pages of the Record are either wholly or mostly illegible: 054-055; 083-096; 102-126; 127-317; 318-330; 401-405; 416-431; 462-536; 539-547; 549-597; 627-634; 642-649; 673-686; 697-742; 744-778; 779-781; and 784-855.

For the reasons discussed, the undersigned respectfully requests the court strike the Record filed by Appellant and, consequently, order Appellant prepare and file a Record on Appeal that complies with Rule 210, SCACR. Commensurately, Respondent requests the Court extend the time to file final briefs until twenty days after Appellant files a Record on Appeal that complies with the South Carolina Appellate Court Rules.

Respectfully submitted,

s/ Bob J. Conley  
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Attorneys for Respondent

Charleston, South Carolina  
Date: December 9, 2024

Others of Record:

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Pro Se Appellant

**RECEIVED**

**Dec 09 2024**

**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Honorable Circuit Court Judge Jean Toal

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Case No. 2023-001733

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Jian-Yun (John) Dong, M.D., Ph.D.,

Appellant,

v.

Medical University of South Carolina,

Respondent.

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**PROOF OF SERVICE OF SECOND MOTION TO STRIKE RECORD ON APPEAL**

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Attorneys for Respondent

I hereby certify that on December 9, 2024, I served a copy of Respondent's Second Motion to Strike Record on Appeal on the following:

John Dong, M.D., Ph.D.,  
Pro Se Plaintiff  
71 Delahow Street  
Charleston, SC 29492  
[johny.dong@gmail.com](mailto:johny.dong@gmail.com)  
[johny.dong@me.com](mailto:johny.dong@me.com)

by email to both email addresses and by placing a copy of said document in the United States mail with sufficient postage thereon.

s/ Bob J. Conley  
Caroline Cleveland  
Bob J. Conley  
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Attorneys for Respondent

Charleston, South Carolina  
Date: December 6, 2024

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December 9, 2024

†CERTIFIED SPECIALIST,  
LABOR & EMPLOYMENT LAW  
\*CERTIFIED MEDIATOR

The Honorable Jenny Kitchings  
Clerk of Court, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

**RECEIVED**  
**Dec 09 2024**  
**SC Court of Appeals**

Re: *Jian-Yun (John) Dong v. The Medical University of South Carolina*  
Appellate Case No.: 2023-001733

Dear Ms. Kitchings:

On Monday, December 9, 2024, Respondent electronically filed its Second Motion to Strike Record on Appeal and related Proof of Service. Enclosed is the \$50.00 filing fee.

Yours truly,

CLEVELAND & CONLEY, LLC



Bob J. Conley

BJC/md  
Enclosure: as stated  
cc: Jian-Yun (John) Dong, Pro Se