

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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APPEAL FROM RICHLAND COUNTY
COURT OF COMMON PLEAS

S.C. Supreme Court

The Honorable John Hamilton Smith, Special Referee

CASE NO. 2010-CP-40-8943R

COLUMBIA VENTURE, LLC, APPELLANT,

v.

RICHLAND COUNTY, RESPONDENT.

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

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

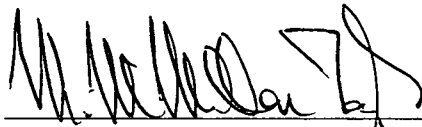
1. Complaint (Aug. 19, 2004);
2. Amended Complaint (Oct. 5, 2009);
3. Order Denying Defendant's Motion to Dismiss Pursuant to Rule 12(b)(6) (filed Dec. 2, 2009);
4. Plaintiff's Motion for Partial Summary Judgment (filed March 14, 2012);
5. Defendant's Motion for Summary Judgment on Physical Taking Claim (filed March 14, 2012);
6. Plaintiff's Memorandum in Support of Motion for Partial Summary Judgment in its Physical Taking Claim (filed July 6, 2012);
7. Plaintiff's Memorandum in Opposition to Defendant's Motion for Partial Summary Judgment (Physical Takings Claim) (filed July 13, 2012);
8. Dispositive Motion Hearing Transcript (July 18, 2012);

9. Plaintiff's Pre-Trial Brief (Sept. 2012);
10. Plaintiff's Memorandum in Response to Defendant's Proposed Order (March 8, 2013);
11. Plaintiff's Motion to Reconsider Order Entered March 19, 2013 (filed March 29, 2013);
12. Defendant's Opposition to Plaintiff's Motion to Reconsider (April 8, 2013);
13. Order Denying Plaintiff's Motion to Reconsider (filed April 22, 2013);
14. Defendant's Memo in Support of Motion for Protective Order (June 12, 2012);
15. Order Granting Defendant's Motion for Protective Order (July 20, 2012);
16. Parties' Joint Submission of Case Documents to Judge Smith for Review (July 2012);
17. Plaintiff Trial Exhibits 3, 4, 8, 10, 11, 12, 13, 14, 22, 24, 31, 51, 57, 70, 114, 115, 118, 119, 120, 129, 130, 131, 147, 155, 156, 159, 162, 166, 184, 185, 186, 195, 204, 208, 230, 236, 237, 238, 250a, 254, 255, 251, 254, 262, 264, 275, 277, 294, 304, 305, 311, 336, 337, 338, 344, 345, 362, 369, 374, 381, 391, 392, 394, 402, 425, 497, 500, 501, 506, 507, 508, 509, 510, 520, 523, 550, 551, 557;
18. Defendant's Trial Exhibits 1, 2, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 17, 20a, 31, 34, 37, 45, 46, 48, 49, 50, 51, 53, 54, 59, 63, 64, 67, 69, 70, 72, 73, 76, 77, 79, 81, 82, 84, 85, 99, 103, 104, 105, 106, 108, 109, 110, 111, 112, 113, 128, 129, 130, 131, 133, 140, 142, 144, 147, 149, 151, 156, 157;
19. Trial Transcript pp. 23, 24, 27, 33, 34, 37, 38, 39, 40, 42, 48, 66, 70, 79, 126, 127, 128, 130, 136, 137, 138, 139, 140, 141, 142, 143, 155, 156, 176, 177, 264-270, 277, 385, 386, 449, 504, 550, 551, 552, 562, 563, 599, 600, 601, 602, 630, 656, 668, 669, 674, 682, 683, 684, 698, 699, 711, 771, 779, 780, 810, 839, 859, 860, 864, 873, 884, 885, 886, 878, 879, 893, 894, 896, 897, 898, 899, 900, 901, 902, 903, 904, 922, 923, 924, 925, 936, 937, 939, 965, 966, 975, 977, 994, 995, 966, 1005, 1006, 1007, 1048-1060, 1077, 1078, 1236, 1309, 1310, 1315, 1323, 1324, 1339, 1340, 1399, 1400, 1401, 1447, 1448, 1453, 1461, 1490, 1491, 1624, 1625, 1626, 1665, 1666, 1842, 1843, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1894, 1897, 1898, 1956, 1957, 1958, 2125, 2126, 2127, 2131, 2132, 2134, 2136, 2137, 2138, 2139, 2141, 2142, 2143-2146, 2153, 2154, 2155, 2161, 2164, 2165, 2216, 2217, 2218, 2219, 2225, 2226, 2228, 2229, 2231, 2232, 2262, 2274, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2307-2507, 2512, 2513, 2515, 2516, 2517, 2518, 2524, 2528, 2529, 2530, 2536, 2537, 2538, 2544, 2545, 2557-, 2558, 2559, 2583, 2584, 2585, 2593, 2594, 2595, 2598, 2615, 2617, 2618, 2619, 2621, 2622, 2965, 2689, 2690, 2691, 2692, 2693, 2694, 2695, 2697;
20. Transcript of Deposition of Douglas P. Wendel, p. 9, 81, 162-164, 180-184, Exh. 136;

21. Transcript of Deposition of H. Wilson Tillotson, p. 12, 47, 48, 49, 50, 51, 52, 53, 58, 59, 67;
22. Transcript of Deposition of James E. Wiseman, p. 64, 65, 113, 114, 146, 147, 210, 211;
23. Plaintiff's Proposed Order (Feb. 4, 2013);
24. Defendant's Proposed Order (Feb. 4, 2013);
25. Defendant's Memorandum in Opposition to Plaintiff's Proposed Order (March 8, 2013);
26. Plaintiff's Memorandum in Response to Defendant's Proposed Order (March 8, 2013);
27. Plaintiff's Motion to Reconsider (March 29, 2013).

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

Respectfully submitted,



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