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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable Jocelyn Newman, Circuit Court Judge

Appellate Case No.: 2025-000592
Civil Action No.: 2019-CP-40-04567

Health Promotion Specialists, LLC,Appellant,

v.

South Carolina Department of Health and Environmental Control, The South Carolina Dental Association, Dr. Richard E. Boyd, as Personal Representative of the Estate of Rocky Napier, and one or more John Does, Unidentified current or former agents of the South Carolina Department of Health and Environmental Control,Defendants,

of which South Carolina Department of Health and Environmental Control is theRespondent.

RESPONDENT’S DESIGNATION OF MATTER

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

Orders and Judgments

1. Form 4 Order [granting complex case in short form] (filed 9/22/2022);
2. Order Granting Defendant [SCDA]’s Motion to Dismiss (filed 7/18/2023);
3. Order Granting [Estate’s] Motion to Dismiss (filed 9/11/2023);
4. Order Granting in Part and Denying in Part [DHEC’s] Motion to Dismiss Pursuant to Rule 12(b)(6), SCRCP (filed 9/11/2023);
5. Form 4 [granting motion for reconsideration in short form] (filed 11/21/2024);
6. Order Designating Case Complex (filed 11/22/2024);

7. Order Granting [DHEC's] Motion to Reconsider and Order of Dismissal of Plaintiff's Remaining Claims, Pursuant to Rule 12(b)(6), SCRCP (filed 12/10/2024);
8. Form 4 Order [denying motion to reconsider] (filed 2/25/2025);

Pleadings

9. Summons & Complaint (filed 8/16/2019);
 - a. Exhibit 1;
10. Amended Complaint (filed 11/22/2019);
 - a. Exhibit A (also labeled Exhibit 1);
 - b. Exhibit B;
 - c. Exhibit C;
 - d. Exhibit D;
11. Second Amended Summons & Complaint (filed 3/28/2022);
12. DHEC Answer to Plaintiff's Second Amended Complaint (filed 9/22/2023);

Motions

13. DHEC's Motion to Dismiss (filed 4/5/2022);
 - a. DHEC's Memorandum in Support (filed 9/9/2022);
 - b. HPS' Memorandum in Opposition (filed 9/12/2022);
 - c. HPS' Supplemental Memorandum in Opposition (filed 9/23/2022);¹
 - d. DHEC's Reply Memorandum (filed 9/27/2022);
14. DHEC's Motion for Reconsideration (filed 9/21/2023);
 - a. DHEC's Memorandum in Support (filed 12/6/2023);
 - b. HPS' Memorandum in Opposition (filed 12/29/2023);
15. HPS' Motion to Reconsider (filed 12/20/2024);

Transcripts

16. Transcript of Hearing for September 13, 2022;

Other

17. Stipulation of Dismissal (filed 3/17/2021); and
18. Consent to Dismissal (filed 7/7/2021).

¹ This document appears to have been filed twice; either version will suffice.

CERTIFICATION OF COUNSEL

In accordance with Rule 209(c), SCACR, the undersigned counsel certifies that this Designation of Matter contains no matter which is irrelevant to the appeal.

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