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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

APPEAL FROM BEAUFORT COUNTY  
In the Court of Common Pleas

The Honorable H. Steven DeBerry, IV, Circuit Court Judge

Appellate Case No. 2025-001773

The Town of Hilton Head Island, South Carolina, John J. McCann,  
and Stephen G. Riley ..... Appellants,

v.

Beaufort County, South Carolina.....Respondent.

**RESPONDENT'S DESIGNATION OF MATTER  
FOR INCLUSION IN THE RECORD ON APPEAL**

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*Attorneys for Respondent Beaufort County,  
South Carolina*

Pursuant to Rule 209 of the South Carolina Appellate Court Rules, Respondent Beaufort County, South Carolina ("Respondent") hereby designates the following materials to be included in the Record on Appeal in this matter in connection with its Initial Brief of Respondent. Each item designated **is to include all attachments or exhibits** to the original of the referenced item. Respondent intends to designate each and every item from the record that it cites in its Initial Brief of Respondent in this matter. Respondent expressly reserves the right to seek supplementation of the record pursuant to Rules 209 and 212, SCACR if appropriate.

Respondent designates the following matters for inclusion in the Record on Appeal (including any and all exhibits or attachments thereto):

1. December 1, 2020 Plaintiff's Motion for Summary Judgment
2. January 26, 2022 Form 4 Order
3. May 1, 2023 Plaintiffs' Notice of Motion for Summary Judgment
4. September 21, 2023 Amended Complaint
5. October 2, 2023 Order Denying Plaintiffs' Third Notice of Motion for Summary Judgment
6. March 7, 2025 Stipulation of Facts
  - Ex. 1: Ordinance 2020/29
  - Ex. 2: July 13, 2020 Law Enforcement Service Charge and Uniform User Fee Study
  - Ex. 3 Deposition of Julie Herlands (with any exhibits)
  - Ex. 4: Agreement for Police Services
  - Ex. 5: Deposition of Hon. P.J. Tanner (with any exhibits)
7. March 10, 2025 Plaintiffs' Notice of Motion and Motion for Summary Judgment

8. March 12, 2025 Defendant Beaufort County's Cross Motion for Summary Judgment
  - Ex. A: January 26, 2021 Affidavit of P.J. Tanner in Response to Plaintiffs' Motion for Summary Judgment (with any exhibits)
  - Ex. B: Page from Town of Hilton Head Island Municipal Government Website
  - Ex. C: October 12, 2020 Affidavit of Joseph Passiment (with any exhibits)
  - Ex. D: October 15, 2020 Affidavit of P.J. Tanner (with any exhibits)
  - Ex. E: Excerpt from Town of Bluffton Comprehensive Annual Financial Report
  - Ex. G: October 14, 2020 Affidavit of Julie Herlands (with any exhibits)
  - Ex. H: April 20, 2011 Attorney General Opinion
  - Ex. I: November 6, 1992 Attorney General Opinion
  - Ex. J: March 16, 2018 Attorney General Opinion
  - Ex. L: Excerpt from Town of Beaufort Comprehensive Annual Financial Report
9. June 9, 2025 Plaintiffs' Reply to Beaufort County's Motion for Summary Judgment
10. August 7, 2025 Order Granting Defendant's Cross Motion for Summary Judgment and Denying Plaintiffs' Motion for Summary Judgment
11. Aug. 15, 2025 Plaintiffs' Notice of Motion and [Motion] to Alter or Amend
12. August 29, 2025 Order

Respondent certifies, pursuant to S.C.A.C.R., Rule 209(c), that the designations set forth above are relevant to the appeal in this matter, and that it has not designated any matter that is irrelevant to the issues before the Court.

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By: 

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