

STATE OF SOUTH CAROLINA
IN THE
COURT OF APPEALS

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JAN 14 2014
SC Court of Appeals

Appeal from the South Carolina Administrative Law Court
Honorable John D. McLeod, Administrative Law Judge
Docket No. 2008-ALJ-07-00221

Deerfield Plantation Phase II B
Property Owners Association,

Appellant,

v.

South Carolina Department of Health and
Environmental Control, Deertrack Golf, Inc.,

Respondents,

v.

Bill Clark Homes of Myrtle Beach, LLC,

Respondent.

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL
BY RESPONDENTS, SOUTH CAROLINA DEPARTMENT OF HEALTH AND
ENVIRONMENTAL CONTROL AND DEERTRACK GOLF, INC.

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TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

COMES NOW the Respondents, South Carolina Department of Health and Environmental Control (Office of Ocean and Coastal Resource Management) ("SCDHEC") and Deertrack Golf Inc. ("Deertrack Golf"), pursuant to Rule 209 of the South Carolina Appellate Court Rules, and hereby submits their joint **Designation of Matters to be Included in the Record on Appeal** herein and designates the parts of the transcripts, orders, pleadings, affidavits, exhibits, and other materials which they proposes to include in the Record on Appeal of this matter. This designated matter may be both in addition to and cumulative of that already designated by the Appellant, Deerfield Plantation Phase II B Property Owners Association.

ORDERS

1. "Order Affirming Decisions of the Horry County Planning Commission," Civil Action No.: 2008-CP-26-7692. ;
2. Order issued by the Honorable Steven H. John, Circuit Court Judge, dated 20 June 2013, and filed 24 June 2013 (Civil Action No. 2008-CP-26-7692);

PLEADINGS

TRIAL, HEARING, OR DEPOSITION TRANSCRIPTS

1. Hearing Transcript – Day 1, pp.10-196;
2. Hearing Transcript – Day 2, pp.64, 115, 213, 227, and 261;
3. Hearing Transcript – Day 3, pp.6-172;
4. Deposition of Shannon Hicks;

EXHIBITS

1. Petitioner's Exhibits Nos. 1, 3, 12, 19 (Photo No. 55), 26, and 85;
2. Respondents' Exhibits Nos. 9, 15, 16, 19A, 19B, and 26.

I, Stephen P. Groves, Sr., Esquire, hereby certify pursuant to Rule 209(c), SCACR, this joint Designation of Matter to be Included in the Record on Appeal submitted by the Respondents does not contain any matter and/or items which are not relevant to this appeal.

Respectfully submitted:

NEXSEN PRUET, LLC

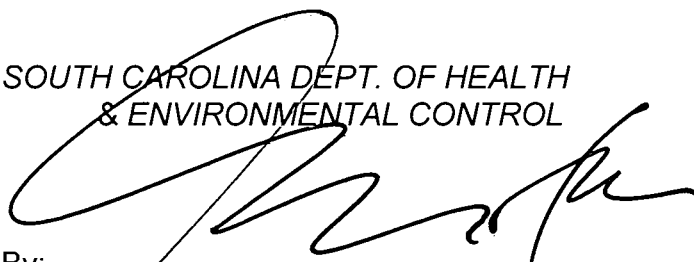
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13 January 2014

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Honorable John D. McLeod, Administrative Law Judge
Docket No. 2008-ALJ-07-00221
Appellate Case No. 2009-135686

Deerfield Plantation Phase II B
Property Owners Association,

Appellant,

v.

South Carolina Department of Health and
Environmental Control, Deertrack Golf, Inc.,

Respondents,

v.

Bill Clark Homes of Myrtle Beach, LLC,

Respondent.

PROOF OF SERVICE for the
JOINT INITIAL BRIEF OF THE RESPONDENTS,
DEERTRACK GOLF, INC. AND SOUTH CAROLINA DEPARTMENT
OF HEALTH AND ENVIRONMENTAL CONTROL

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I, Stephen P. Groves, Esquire, hereby certify that on 13 January 2014, served one copy each of the joint *Initial Brief of the Respondents* and joint *Designation of Matter to Be Included in the Record on Appeal* submitted on behalf of both the Respondent, Deertrack Golf, Inc., and the Respondent, South Carolina Department of Health and Environmental Control, on all counsel of record herein via United States Mail, postage pre-paid, and addressed as follows:

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Stephen P. Groves, Esquire

Charleston, South Carolina

13 January 2014