

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

SC Court of Appeals

The Honorable G. Thomas Cooper, Jr.
Circuit Court Judge

Appellate Case No. 2014-000829
Circuit Court Case No. 2014-CP-32-00697

Vivian Atkins, Robert P. Frick, and Kay Hollis, in their official capacity as members of the Town Council of the Town of Chapin, Appellants,

v.

James R. Wilson, Jr., in his official capacity as Mayor of the Town of Chapin, Gregg White in his official capacity as a member of the Town Council of the Town of Chapin, and the Town of Chapin, Respondents.

RESPONDENTS' DESIGNATION OF MATTER

Respondents designate the following be included in the Record on Appeal:

Orders

1. Order Denying Plaintiffs' Motion for Injunctive Relief and Granting Defendants' Motion to Dismiss (Mar. 18, 2014).
2. Order Denying Plaintiffs' Motion to Reconsider (Apr. 8, 2014).
3. Order on Defendants' Motion to Enforce Order and Enjoin Contrary Conduct and Motion for Civil Contempt (May 5, 2014).

Pleadings

4. Complaint (filed Feb. 26, 2014).

Motions

5. Motion for Preliminary Injunction (filed Feb. 26, 2014).

6. Defendants' Motion to Dismiss (filed Mar. 5, 2014).
7. Plaintiffs' Return to Motion to Dismiss (filed Mar. 7, 2014).
8. Defendants' Memorandum in Support of Motion to Dismiss and in Opposition to Plaintiffs' Motion for Preliminary Relief (filed Mar. 10, 2014), along with all accompanying exhibits:
 - (a) Chapin Town Ordinances Cited in Defendants' Memorandum; and
 - (b) Chapin Town Council Meeting Minutes (Jan. 15, 2014).
9. Plaintiffs' Motion to Reconsider (filed Mar. 31, 2014).
10. Defendants' Motion to Enforce Order and to Enjoin Contrary Conduct (filed Apr. 7, 2014), along with all accompanying exhibits:
 - (a) Plaintiffs' Notice and Agenda of Meeting;
 - (b) Correspondence Between Counsel Regarding Notice and Agenda of Meeting; and
 - (c) Relevant Chapin Town Ordinances.
11. Defendants' Motion for Civil Contempt (filed Apr. 14, 2014), along with all accompanying exhibits:
 - (a) April 8, 2014 Letter from The Honorable G. Thomas Cooper, Jr.;
 - (b) Correspondence Between Counsel Regarding Court's Rulings; and
 - (c) Affidavit of The Honorable James R. Wilson, Jr.
12. Plaintiffs' Motion to Cancel Hearing (filed Apr. 21, 2014).
13. Plaintiffs' Return to Motion for Contempt (Apr. 24, 2014), along with all accompanying exhibits:
 - (a) Affidavit of Vivian Atkins.
14. Defendants' Memorandum in Support of Defendants' Post-Judgment Motions and in Opposition to Plaintiffs' Motion to Cancel Hearing (filed Apr. 24, 2014), along with all accompanying exhibits:
 - (a) Order from the Supreme Court (Apr. 23, 2014);
 - (b) Correspondence Among Counsel and Judge Cooper's Law Clerk Scheduling Hearing;
 - (c) Supplemental Affidavit of Mayor Wilson with Accompanying Letter from Defendants' Counsel; and
 - (d) Email from Plaintiffs' Counsel (Apr. 16, 2014).

15. Email chain concluding with correspondence from The Honorable G. Thomas Cooper, Jr., to Counsel and Judge Cooper's Law Clerk (Judge Cooper's email dated Apr. 28, 2014 at 11:21 AM; preceding emails from Andrew Syrett dated Apr. 28, 2014, at 10:24 AM; from Todd Carroll dated Apr. 28, 2014, at 10:01 AM; and from Andrew Syrett dated Apr. 26, 2014, at 1:18 AM).

Transcripts

16. Entire transcript of March 10, 2014 Hearing.
17. Entire transcript of April 25, 2014 Hearing.

The below-signed certifies that this Designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

WOMBLE CARLYLE SANDRIDGE & RICE, LLP

By: 

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Attorneys for the Respondents

January 21, 2015
Columbia, South Carolina

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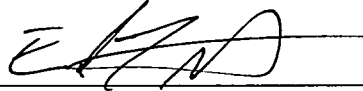
SC Court of Appeals

PROOF OF SERVICE

I, the undersigned Legal Secretary of the law offices of Womble Carlyle Sandridge & Rice LLP, Attorneys for Respondents, do hereby certify that I have served the below parties in this action with a copy of the pleading(s) specified below by mailing a copy of the same, postage prepaid, to the following address(es):

Pleading: Respondents' Designation of Matter

Parties Served: Spencer Andrew Syrett
712 Richland Street, Suite E
Post Office Box 7403
Columbia, SC 29202
Attorney for Appellants



Edwin T. Mathis

January 21, 2015

PROOF OF SERVICE

I, the undersigned Legal Secretary of the law offices of Womble Carlyle Sandridge & Rice LLP, Attorneys for Respondents, do hereby certify that I have served the below parties in this action with a copy of the pleading(s) specified below by mailing a copy of the same, postage prepaid, to the following address(es):

Pleading: Brief of Respondents

Parties Served: Spencer Andrew Syrett
712 Richland Street, Suite E
Post Office Box 7403
Columbia, SC 29202
Attorney for Appellants



Edwin T. Mathis

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January 21, 2015

The South Carolina Court of Appeals
The Honorable Jenny Abbott Kitchings
Post Office Box 11629
Columbia, SC 29211

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SC Court of Appeals

Re: Vivian Atkins v. James R. Wilson, Jr.
Appellate Case No. 2014-000829

Dear Ms. Kitchings:

Enclosed please find the Initial Brief of Respondents and Respondents' Designation of Matter. Please file the originals and return a clocked copy to our courier.

With kind regards, I remain

Very truly yours,



M. Todd Carroll

Enclosures

cc: Spencer Andrew Syrett