

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

SC Court of Appeals

The Honorable J. C. Nicholson, Jr., Circuit Court Judge

Case No. 2009-CP-10-7399  
Appellate Case No. 2014-002118

Lynne Vicary, Kent Prause, and South Carolina Coastal Conservation League, ..... Respondents,

v.

Town of Awendaw, and EBC, LLC ..... Defendants,  
Of whom Town of Awendaw is the Appellant

SUPPLEMENTAL DESIGNATION OF MATTER TO BE INCLUDED IN THE  
RECORD ON APPEAL

Pursuant to Rule 209, SCACR, Appellant Town of Awendaw designates the following additional material for inclusion in the record on appeal:

- Plaintiff's Suppl. Exhibit 8 (deposition of Megan Desrosiers, November 9, 2010) (filed Mar. 22, 2011).
- Plaintiff's Suppl. Exhibit 5 (Affidavit of Richard D. Porcher, Ph.D., March 16, 2011) (filed Mar. 22, 2011).

Respectfully submitted,

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 

Newman Jackson Smith  
SC Bar No. 005245  
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(843) 853-5200

Attorneys for Town of Awendaw

Charleston, South Carolina

March 30, 2015

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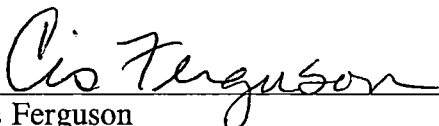
PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Town of Awendaw, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings: Supplemental Designation of Matter to be Included in the Record on Appeal

Counsel Served: Attorneys for Respondents

W. Jefferson Leath, Jr., Esq. Leath Bouche & Seekings, LLP P.O. Box 59 Charleston, SC 29402-0059	Christopher K. DeScherer Southern Environmental Law Center 463 King Street, Suite B Charleston, SC 29403-7204
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Cis Ferguson  
Administrative Assistant

March 30, 2015

# Nelson Mullins

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Attorneys and Counselors at Law  
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SC Court of Appeals

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March 30, 2015

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
SC Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

RE: Lynne Vicary, Kent Prause, and South Carolina Coastal Conservation League  
v. Town of Awendaw  
Civil Action No.: 2009-CP-10-07399  
Appellate Case No.: 2014-002118  
NMRS File No.: 44743/01500

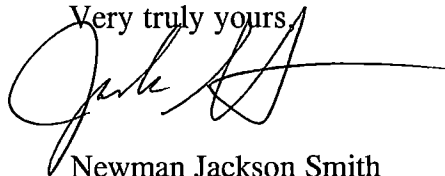
Dear Ms. Kitchings:

Enclosed please find the original and six copies of the Motion for Leave to File Supplemental Designation of Matter Out of Time in regard to the above-referenced matter, as well as our check for the \$25 filing fee. We ask that you file the original and return the clocked-in copy in the enclosed stamped envelope.

In addition, if the Motion meets with the Court's approval, we ask that you also accept for filing the enclosed Supplemental Designation of Matter to be Included in the Record on Appeal. Please include the clocked-in copy in the enclosed return envelope.

By copy of this letter to counsel of record in this matter, we are serving them with copies.

Very truly yours,



Newman Jackson Smith

NJS:csf

Enclosures

cc: (all via U.S. mail w/enc.)  
W. Jefferson Leath, Jr., Esq.  
Christopher K. DeScherer

Hasler

PRIORITY MAIL

03/30/2015

US POSTAGE

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**Nelson  
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44743/01500

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
SC Court of Appeals  
1015 Sumter Street - 5th Floor  
Columbia, SC 29201

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