

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
G. Thomas Cooper, Jr., Circuit Court Judge

Case No. 2007-CP-40-03365
Case No. 2014-001373

RECEIVED
MAY 12 2015
SC Court of Appeals

Edward Mims, by and through his legal
Guardian, Margaret Mims, Appellant.

VS

Babcock Center, Inc., Judy Johnson, the South Carolina
Department of Disabilities and Special Needs, Kathi Lacy
And Stan Butkus, Respondents.

**RESPONDENTS
BABCOCK CENTER, INC.
AND JUDY JOHNSON'S
DESIGNATION OF MATTER**

Pursuant to Rules 209 and 210 of the South Carolina Appellate Court
Rules, the Respondents, Babcock Center, Inc. and Judy Johnson, propose the
following to be included in the Record on Appeal:

1. Amended Complaint filed May 7, 2008, in Richland County
Court of Common Pleas, case number 2007-CP-40-03365;

2. Defendants Babcock Center, Inc. and Judy Johnson's Motion to Dismiss Pursuant To Rules 12(b)(1), (b)(2), (b)(4), (b)(5), and (b)(6), SCRCF, dated June 9, 2008;

3. Defendants Babcock Center, Inc. and Judy Johnson's Motion for Reconsideration filed April 10, 2009;

4. Defendants Babcock Center, Inc. and Judy Johnson's Answer to Amended Complaint filed April 20, 2009;

5. Order for Judgment filed March 31, 2009;

6. Order for Judgment filed June 4, 2009;

7. Defendants Babcock Center, Inc. and Judy Johnson's Motion to Alter and Amend or for Reconsideration filed June 17, 2009;

8. Defendants Babcock Center, Inc. and Judy Johnson's Amended Motion for Summary Judgment filed July 23, 2009;

9. Defendants Babcock Center, Inc. and Judy Johnson's motion for Leave to File an Amended Answer filed August 3, 2009;

10. Defendants Babcock Center, Inc. and Judy Johnson's Memorandum in Support of Defendants' Joint Motion for Reconsideration filed September 4, 2009;

11. Order of Dismissal of matter dated November 23, 2009;

12. Defendants Babcock Center, Inc. and Judy Johnson's Motion for Sanctions filed December 3, 2009;

13. Defendants Babcock Center, Inc. and Judy Johnson's Memorandum in Opposition to Plaintiff's Motion to Alter or Amend filed January 19, 2010;

14. Order denying Plaintiff's Motion to Reconsider filed February 8, 2010;

15. Motion for Summary Judgment on behalf of Defendants Babcock Center, Inc. and Judy Johnson filed April 25, 2013;

16. Defendants Babcock Center, Inc. and Judy Johnson's Memorandum in Support of Motion for Summary Judgment filed June 4, 2013;

17. Order Granting Summary Judgment to Defendants Babcock Center, Inc. and Judy Johnson filed January 21, 2014.

[SIGNATURE BLOCK ON FOLLOWING PAGE]

Respectfully submitted,
COLLINS & LACY, P.C.

By: 

CHRISTIAN STEGMAIER
cstegmaier@collinsandlacy.com
MEGHAN HAZELWOOD HALL
mhall@collinsandlacy.com

KERRI A. RUPERT
krupert@collinsandlacy.com
1330 Lady Street, Sixth Floor (29201)
Post Office Box 12487
Columbia, South Carolina 29211
(803) 256-2660 (voice)
(803) 771-4484 (facsimile)

May 8, 2015
Columbia, South Carolina

**ATTORNEYS FOR RESPONDENTS
BABCOCK CENTER, INC.
AND JUDY JOHNSON**

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
G. Thomas Cooper, Jr., Circuit Court Judge

RECEIVED

MAY 12 2015

SC Court of Appeals

Case No. 2007-CP-40-03365
Case No. 2014-001373

Edward Mims, by and through his legal
Guardian, Margaret Mims, Appellant.

VS

Babcock Center, Inc., Judy Johnson, the South Carolina
Department of Disabilities and Special Needs, Kathi Lacy
And Stan Butkus, Respondents.

PROOF OF SERVICE


Counsel for Respondents Babcock Center, Inc. and Judy Johnson certifies that (s)he has served the Designation of Matter to be Included in the Record on Appeal, the Initial Brief of Respondents Babcock Center, Inc. and Judy Johnson, the Motion to File Respondents' Initial Brief Out of Time, and Notice of Appearance of Kerri Rupert on all parties by depositing a copy of it

in the United States Mail, postage prepaid, on May 8, 2015, addressed to the following attorneys of record:

Patricia Logan Harrison, Esquire
611 Holly Street
Columbia, SC 29205
Counsel for Appellant

Kenneth P. Woodington, Esquire
Davidson & Lindemann, P.A.
P. O. Box 8568
Columbia, SC 29202-8568
***Counsel for Respondents the South Carolina
Department of Disabilities and Special Needs, Kathi Lacy
And Stan Butkus***

Respectfully submitted,
COLLINS & LACY, P.C.

By: 
CHRISTIAN STEGMAIER
cstegmaier@collinsandlacy.com
MEGHAN HAZELWOOD HALL
mhall@collinsandlacy.com
KERRI A. RUPERT
krupert@collinsandlacy.com
1330 Lady Street, Suite 601
Post Office Box 12487
Columbia, South Carolina 29211
(803) 256-2660 (voice)
(803) 771-4484 (facsimile)

**PROOF OF SERVICE –
ATTORNEYS FOR RESPONDENTS
BABCOCK CENTER, INC. AND
JUDY JOHNSON**



Kerri A. Rupert | D: 803.255.0421 | E: krupert@collinsandlacy.com

May 8, 2015

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RECEIVED
MAY 12 2015
SC Court of Appeals

Re: Edward Mims, by and through his legal Guardian, Margaret Mims, Appellant, v.
Babcock Center, Inc, Judy Johnson, et al, Respondents
Civil Action No. 2007-CP-40-3365
Appellate Case No. 2014-001373
C&L File No. 000969-00109

Dear Ms. Kitchings:

Enclosed for filing, please find an original of each of the following:

- (1) Initial Brief of Respondents Babcock Center, Inc. and Judy Johnson;
- (2) Respondents Babcock Center, Inc. and Judy Johnson's Designation of Matter to be Included in the Record on Appeal;
- (3) Motion to File Respondents' Initial Brief and Designation of Matter Out of Time;
- (4) Notice of Appearance of Kerri A. Rupert; and
- (5) Proof of Service.

Thank you for your assistance in this matter and please call me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kerri A. Rupert".

Kerri A. Rupert

KAR/mmm
Enclosures

cc: Patricia Logan Harrison
Kenneth P. Woodington

Hasler

05/08/2015

US POSTAGE

\$02.87⁰



ZIP 29201
011D11629328

RECEIVED

MAY 12 2015

SC Court of Appeals



1330 Lady Street, Sixth Floor (29201) Post Office Box 12487 | Columbia, SC 29211

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
Calhoun Building
1220 Senate Street
Columbia, SC 29201
969-109

