

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2012-CP-10-06922
Appellate Tracking No. 2014-000582

RECEIVED

JUN 15 2015

SC Court of Appeals

Tipperary Sales d/b/a La-Z-Boy Furniture Gallery,

Appellant,

v.

South Carolina Department of Transportation; South Carolina Department
of Health and Environmental Control; City of North Charleston;
Charleston Water System; Associated Developers, Inc., Parkhill, LLC,

Defendants,

Of Which South Carolina Department of Transportation;
South Carolina Department of Health and Environmental Control;
City of North Charleston; and Charleston Water System are the

Respondents.

**DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL on behalf of RESPONDENTS**

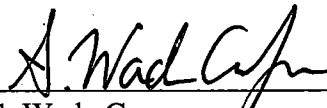
Pursuant to Rule 209, SCACR, Respondents designate the following items for
inclusion in the Record on Appeal:

1. Amended Complaint, filed October 24, 2012;
2. SCDOT Answer, filed December 10, 2012;
3. SCDHEC Answer, filed November 2, 2012;
4. City of North Charleston Answer, filed December 27, 2012;
5. Charleston Water System Answer, filed on November 13, 2012;
6. City of North Charleston, Rule 12(c) motion to dismiss, filed November 21, 2013, and supporting memorandum, dated 1/2/14;
7. SCDOT motion for summary judgment, filed November 21, 2013, with supporting memorandum, filed 1/7/14;
8. SCDHEC motion for summary judgment, filed November 25, 2013;
9. Charleston Water System Rule 12(c) motion to dismiss, or, in the alternative, for summary judgment, filed December 6, 2013, with supporting memorandum, filed 1/2/14;
10. Deposition of Richard Geer with Exhibits;

11. Transcript of Hearing, January 7, 2014;
12. Orders (4) as to SCDHEC, City of North Charleston, SCDOT, Charleston Water System, filed February 18, 2014
13. Notice of Appeal; and
14. Amended Notice of Appeal.

The undersigned certifies that this Designation contains no material which is irrelevant to the appeal.

Respectfully submitted,



G. Wade Cooper
For all Respondents with Permission

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City of North Charleston; and Charleston Water System are the

Respondents.

CERTIFICATE OF SERVICE

I, G. Wade Cooper, Counsel for the Respondent Charleston Water System, do hereby
certify that on June 11, 2015, I served a copy of the Initial Brief of Respondents along
with their Designation of Matter to be Included in the Record on Appeal, on Counsel for
Appellant, via U.S. Mail, first class, postage prepaid to the following address:

LEATH, BOUCH & SEEKINGS,
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ON BEHALF OF ALL RESPONDENTS

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Elizabeth W. Ballentine

June 11, 2015

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SC Court of Appeals

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

RE: Tipperary Sales d/b/a La-Z-Boy Furniture Gallery v. SCDOT, et al.
Appellate Tracking No. 2014 -000582

Dear Madam Clerk:

Enclosed for filing please find a copy of the Initial Brief of Respondents, along with their Designation of Matter to be Included in the Record on Appeal. As indicated on the Certificate of Service, I am serving Counsel for the Appellant by copy of this letter.

Sincerely yours,



G. Wade Cooper

cc: Michael S. Seekings/Yancey Alford McLeod, III, Counsel for Plaintiff
Amanda Maybank, Counsel for SCDOT
Andrew S. Halio, Counsel for SCDHEC
Phillip S. Ferderigos, Counsel for City of North Charleston

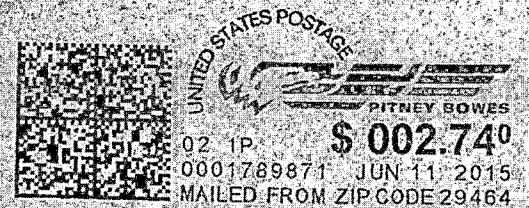
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