

THE STATE OF SOUTH CAROLINA  
In The Court Of Appeals

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APPEAL FROM THE ADMINISTRATIVE LAW COURT

HONORABLE RALPH KING ANDERSON, III, CHIEF ADMINISTRATIVE LAW  
JUDGE

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Case No. 14-ALJ-17-0158-CC  
Appellant Case No. 2015-001509

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**RECEIVED**

DEC 16 2015

**SC Court of Appeals**

DIRECTV, INC. & SUBSIDIARIES,.....Appellant,

v.

South Carolina Department of Revenue,.....Respondent.

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RESPONDENT'S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL

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Pursuant to Rule 209 of the South Carolina Appellate Court Rules, Respondent, South Carolina Department of Revenue, respectfully requests that the following items be included in the Record on Appeal:

**ORDERS**

1. Final Order and Decision from the Administrative Law Court, dated May 12, 2015
2. Reconsideration Order from the Administrative Law Court, dated June 12, 2015
3. Amended Final Order and Decision from the Administrative Law Court, dated June 12, 2015

**DETERMINATIONS**

4. Respondent's Exhibit 13: Department Determination dated February 18, 2014

### **RESPONSE TO MOTIONS**

5. Department's response to DIRECTV's Motion for Reconsideration Under ALC Rule 29(D) and/or to Alter or Amend Under SCRCP Rule 59(e) filed May 22, 2015

### **TRANSCRIPTS**

6. Hearing Transcript Day One dated January 13, 2015
7. Hearing Transcript Day Two dated January 14, 2015

### **EXHIBITS AND OTHER MATERIALS OR DOCUMENTS**

8. Joint Exhibit 1: Joint Deposition Designation from Deposition of William J. Spina
9. Petitioner's Exhibit 16: Uniform Division of Income for Tax Purposes Act
10. Respondent's Exhibits 1-10: DIRECTV's Original and Amended South Carolina Corporate Returns for the tax periods ended December 31, 2006 through December 31, 2011
11. Respondent's Exhibit 11: 2006 through 2008 Field Audit Report of DIRECTV
12. Respondent's Exhibit 12: 2009 through 2011 Field Audit Report of DIRECTV
13. Respondent's Exhibit 14: CV of Professor John A. Swain
14. Respondent's Exhibit 15: CV of Dr. Glenn W. Harrison
15. Respondent's Exhibit 21: Portions of transcript from Lockwood Greene
16. Joint Stipulation of Petitioner and Respondent dated January 12, 2015
17. Appellant's Notice of Appeal dated July 9, 2015
18. Appellant's Notice of Filing Appeal Bond dated July 9, 2015

The undersigned counsel hereby certifies, pursuant to Rule 209(c) of the South Carolina Appellate Court Rules that this Designation contains no matter that is irrelevant to the appeal.

December 16, 2015



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THE STATE OF SOUTH CAROLINA  
In The Court Of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Honorable Ralph King Anderson, III, Chief Administrative Law Judge

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Appellant Case No. 2015-001509

DEC 16 2015  
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DIRECTV, Inc. & Subsidiaries, .....Appellant,

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**PROOF OF SERVICE**

I, Nicole M. Wooten, hereby certify that I have caused to be mailed a copy of the South Carolina Department of Revenue's Initial Brief and Designation of Matter regarding the above-referenced case, by depositing the same in the United States Mail, postage prepaid, on December 16, 2015, addressed to the attorneys of record, John. C. von Lehe, Jr., Esquire and Bryson M. Geer, Esquire, Nelson Mullins, PO Box 1806, Charleston, SC 29402, and R. Gregory Roberts, Esquire, Morrison & Foerster, LLP, 250 West 55<sup>th</sup> Street, New York, NY 10019-9601, Andres Vallejo, Esquire and Thomas H. Steele, Esquire, Morrison & Foerster, LLP, 425 Market Street, San Francisco, CA 94105, and by hand delivery to the Court of Appeals, 1205 Pendleton St., Columbia, SC 29201.

  
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