

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Honorable Shirley C. Robinson, Administrative Law Judge

Case No. 16-ALJ-17-0031-CC
Appellate Case No. 2016-001082

RECEIVED
OCT 31 2016
SC Court of Appeals

The Hunter-Gatherer, LLC, d/b/a The Hunter-Gatherer Brewery, Respondent,

v.

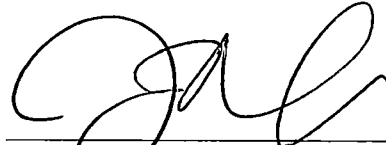
South Carolina Department of Revenue, Appellant.

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

The Respondent proposes the following to be included in the Record on Appeal:

1. ALC Order, dated May 2, 2016;
2. Hearing Transcript, dated March 9, 2016;
3. Joint Stipulations of Fact, dated February 11, 2016;
4. Court Demonstrative Showing Three-Tier System;
5. Court Demonstrative Comparing Brewpubs and Breweries;
6. Department Determination, dated January 28, 2016.

I certify that this designation contains no matter which is irrelevant to this appeal.



Burnet R. Maybank, III (Bar No. 3699)
Jim Rourke (Bar No. 79879)
NEXSEN PRUET, LLC
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Columbia, South Carolina

October 31, 2016

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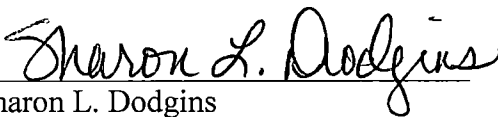
The Hunter-Gatherer, LLC, d/b/a The Hunter-Gatherer Brewery,Respondent,

v.

South Carolina Department of Revenue, Appellant.

PROOF OF SERVICE

I, Sharon Dodgins, hereby certify that I have caused to be mailed a copy of The Hunter-Gatherer, LLC, d/b/a The Hunter-Gatherer Brewery's Initial Brief and Designation of Matter regarding the above- referenced case, by depositing the same in the United States Mail, postage prepaid, on October 31, 2016, addressed to the attorneys of record, Lauren Aquaviva, Sean Ryan, and Milton G. Kimpson, P.O. Box 12265, Columbia, SC 29211-9979 and by hand delivery to the Court of Appeals, 1205 Pendleton St., Columbia, SC 29201.


Sharon L. Dodgins
Legal Assistant
Nexsen Pruet, LLC
1230 Main Street, Suite 700
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803-771-8900

Jim Rourke, J.D., LL.M (Tax)
Associate

October 31, 2016

VIA HAND DELIVERY

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

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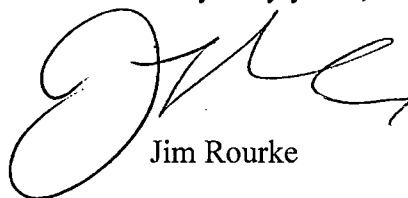
Re: The Hunter-Gatherer, LLC d/b/a The Hunter-Gatherer Brewery
vs. South Carolina Department of Revenue
Appellate Case No. 2016-001082

Dear Ms. Kitchings:

Enclosed for filing please find the original and one (1) copy of Respondent's Initial Brief and Designation of Matter, and Proof of Service. Please return a clocked-in copy to me via our courier.

By way of copy, I am serving counsel of record with the same. Thank you for your assistance.

Very truly yours,



Jim Rourke

JR/sld

Enclosures

cc w/ enc.: Lauren Acquaviva, Esquire
Sean G. Ryan, Esquire
Milton G. Kimpson