

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM RICHLAND COUNTY

Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Appellate Case No. 2017-000617

RECEIVED

MAY 08 2017

SC Court of Appeals

South Carolina Public Interest Foundation, and William B. DePass, Jr. individually, and on behalf of all others similarly situated, Appellant,

v.

The City of Columbia, Richland County, and Fairfield County, Respondents.

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

Respondents designate the following be included in the Record on Appeal:

1. Form 4 Judgment and Order filed February 15, 2017.
2. Summons and Complaint filed February 16, 2016.
3. Answer and Counterclaims of the City of Columbia served March 23, 2016.
4. Richland County's Motion to Dismiss served March 24, 2016.
5. City of Columbia's Motion to Dismiss served April 12, 2016.
6. Plaintiff's Reply to Counterclaims of the City of Columbia.
7. Amended Complaint with Exhibits.
8. City of Columbia's Motion for Summary Judgment filed on or about May 11, 2016.
9. Motion to Dismiss filed by Richland County and Fairfield County on or about May 13, 2016.
10. Richland County's Answer to Amended Complaint served May 16, 2016.
11. Four Affidavits from the City of Columbia served on or about June 9, 2016.
12. City of Columbia's Supplemental Memorandum of Law served on or about June 23, 2016.
13. Plaintiff's Memorandum of Law served on or about June 23, 2016.
14. Rule 56(f) affidavit of Carpenter dated June 29, 2016.

15. Plaintiff's Motion for Summary Judgment and Memorandum of Law served on or about September 19, 2016.
16. Motion for Summary Judgment and Memorandum of Law served by Richland County and Fairfield County on or about September 20, 2016.
17. Richland County's and Fairfield County's Opposition to Plaintiffs' Motion for Summary Judgment served on or about October 4, 2016.
18. City of Columbia's Response to Plaintiff's Memorandum of Law in Support of Motion for Summary Judgment served on or about October 4, 2016.
19. Plaintiffs' Reply Memorandum of Law in Support of Motion for Summary Judgment served on or about October 11, 2016.
20. Richland County's and Fairfield County's Surreply to Plaintiffs' Reply Memorandum served on or about October 18, 2016.

CERTIFICATE OF COUNSEL

Pursuant to Appellate Rule 209(c), the undersigned hereby certifies that this Designation of Matter to be Included in the Record on Appeal contains no matter which is irrelevant to the appeal.

NEXSEN PRUET, LLC



Burnet R. Maybank III (Bar No. 3699)

James Rourke (Bar No. 79879)

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May 8, 2017

Attorneys for Respondent City of Columbia

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PROOF OF SERVICE

I certify that I served the Initial Brief of Respondent City of Columbia and Designation of Matter to be included in the Record on Appeal on other counsel of record by depositing a copy of it in the United States Mail, postage prepaid, on this 8th day of May, 2017, addressed to its attorneys of record: James G. Carpenter at his office at 819 East North Street, Greenville, South Carolina 29601 and Ray N. Stevens, PO Box 1509, Columbia, South Carolina 29202.

Sharon L. Dodgins

Sharon L. Dodgins
Nexsen Pruet, LLC
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Columbia, South Carolina 29201
803-771-8900

Burnet R. Maybank, III
Member
Admitted in SC

May 8, 2017

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SC Court of Appeals

VIA HAND DELIVERY

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

Re: *South Carolina Public Interest Foundation and William B. DePass, Jr., v. The City of Columbia, Richland County and Fairfield County*
Appellate Case No.: 2017-000617
Case No. 2016-CP-40-00946

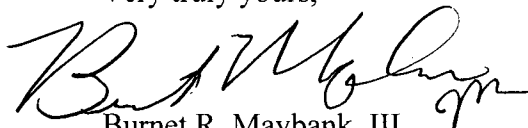
Dear Ms. Kitchings:

Please find enclosed the original and one copy of the following documents:

1. Initial Brief of Respondent City of Columbia; and
2. Designation of Matter to be Included on the Record of Appeal of Respondent City of Columbia

Please file the original and return a clocked copy via our courier. By copy of this letter, I am serving counsel of record with a copy of the same.

Very truly yours,


Burnet R. Maybank, III

BRM/sld

cc: James G. Carpenter, Esquire (w/enclosure)
Ray N. Stevens, Esquire (w/enclosure)