

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

MAY 12 2017

SC Court of Appeals

The Honorable Larry B. Hyman, Jr., Circuit Court Judge

Case No. 2013-CP-22-01062
Appellate Case No. 2017-000234

Georgetown County,Appellant,

v.

Davis & Floyd, Inc., Republic Contracting Corporation, S&ME, Inc.,
The South Carolina Department of Transportation and The City of Georgetown, Defendants,

Of whom

The South Carolina Department of Transportation and The City of Georgetown
are..... Respondents.

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

Appellant proposes the following to be included in the Record on Appeal:

Pleadings, memoranda, briefs, affidavits, etc.

1. Complaint of Appellant, Georgetown County (County);
2. Amended Complaint of County;
3. Answer of Respondent, South Carolina Department of Transportation (SCDOT);
4. Answer of Respondent, City of Georgetown (City).
5. County's Motion for Summary Judgment filed May 2, 2014;
6. Affidavit of George A. Sembos, P.E., filed May 2, 2014;
7. County's Memorandum in Support of its Motion for Summary Judgment (with Exhibits) dated August 5, 2014, filed August 25, 2014;
8. SCDOT's affidavit and deposition designations submitted in opposition to County's Motion for Summary Judgment, dated generally August 5, 2014, filed August 7, 2014;

9. SCDOT's Memorandum in Opposition to County's Motion for Summary Judgment (with exhibits) dated August 6, 2014, filed August 7, 2014;
10. Affidavit of Lane Mixon dated August 5, 2014;
11. Supplemental Affidavit of George A. Sembos, P.E., filed August 25, 2014;
12. Georgetown's Brief in Support of its Motion for Summary Judgment, dated September 5, 2014, filed September 17, 2014;
13. SCDOT's Supplemental Memorandum in Opposition to County's Motion for Summary Judgment dated September 5, 2014;
14. City's Brief on Legal Issue of Whether Georgetown County Can Assert an Inverse Condemnation Claim dated September 5, 2014;
15. Georgetown's Reply Brief dated December 17, 2014, filed December 29, 2014;
16. SCDOT's Response Brief dated February 13, 2015, filed February 20, 2015;
17. City's Brief in Opposition to Georgetown's Motion for Summary Judgment dated April 28, 2015, filed April 28, 2015;
18. Notice of Motion and Motion to Reconsider, Alter or Amend, Pursuant to Rule 59(e), dated November 10, 2015, filed November 13, 2015.

Orders.

1. Order dismissing Georgetown's inverse condemnation claim, dated November 4, 2015, filed November 12, 2015;
2. Order denying Georgetown's Rule 59(e), SCRCPP, motion dated January 3, 2017, filed January 17, 2017.

Transcripts.

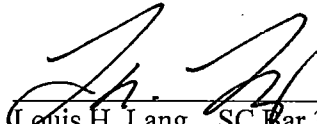
1. Transcript of August 7, 2014, hearing, pages 1 - 27;
2. Transcript of April 30, 2015, hearing, pages 1 - 37 and 70;
3. Transcript of August 5, 2016, hearing, pages 1 - 3, 6 - 13, and 37.

Rule 209 (c), SCACR Certification

I hereby certify that this Designation of Matter contains no matter which is irrelevant to this appeal.

Respectfully submitted,

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May 11, 2017
Columbia, South Carolina

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PROOF OF SERVICE

I certify that I have served a copy of the following as indicated hereinbelow, via email,
and by mailing a copy of same on the date below by First Class United States Mail, postage
prepaid, addressed to the following:

**DOCUMENTS SERVED: APPELLANT'S INITIAL BRIEF, APPENDIX AND
DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

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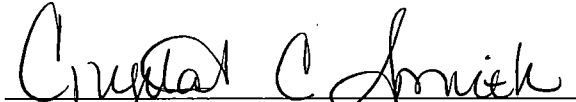
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[TO FOLLOW ON NEXT PAGE]

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Crystal C. Smith, Legal Secretary

May 12, 2017
Columbia, South Carolina