

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

John D. McLeod, Administrative Law Judge

RECEIVED

JUL 21 2017

Case No. 09-ALC-07-0069-CC

SC Court of Appeals

Town of Arcadia Lakes, Robert L. Jackson, Linda Z. Jackson, Robert E. Williams, Barbara S. Williams, Elizabeth M. Walker, Louis E. Spradlin, Mary Helen Spradlin, Thomas Hutto Utsey, Tony Sinclair, Aaron Small, Bette Small, Gene F. Starr, M.D., Elaine J. Starr, Sanford T. Marcus, Ruth L. Marcus, and Steven Brown. Petitioners,

v.

South Carolina Department of Health and Environmental Control and Roper Pond, LLC Respondents,

Of Whom

Town of Arcadia Lakes is Appellant-Respondent, and

South Carolina Department of Health and Environmental Control. Respondent, and

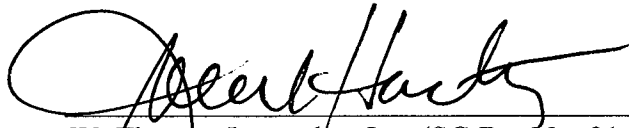
Roper Pond, LLC is Respondent-Appellant.

NOTICE OF CROSS APPEAL

Respondent-Appellant Roper Pond, LLC appeals the following Orders of the Honorable John D. McLeod: Order for Attorneys' Fees, Costs and for Sanctions dated June 14, 2017, Order dated March 24, 2017, and Amended Order Vacating Order on Respondents' Petitioner for Attorneys' Fees and Costs and for Sanctions dated March 15, 2017. Respondent-Appellant Roper Pond, LLC received a notice of appeal from Appellant-Respondent Town of Arcadia

Lakes on July 17, 2017.

July 21, 2017



W. Thomas Lavender, Jr. (SC Bar No. 3143)

Joan W. Hartley (SC Bar No. 72735)

NEXSEN PRUET, LLC

1230 Main St., Ste. 700 (29201)

Post Office Drawer 2426

Columbia, South Carolina 29202

(803) 771-8900

Attorneys for Respondent-Appellant Roper Pond,
LLC

Other Counsel of Record:

Amy E. Armstrong
South Carolina Environmental Law Project
P.O. Box 1380
Pawleys Island, SC 29440
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Attorney for Appellant-Respondent
Town of Arcadia Lakes

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South Carolina Department of Health and
Environmental Control
2600 Bull Street
Columbia, SC 29201
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Attorney for Respondent South Carolina Department of
Health and Environmental Control

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v.

South Carolina Department of Health and Environmental Control and Roper Pond, LLC Respondents,

Of Whom

Town of Arcadia Lakes is Appellant-Respondent, and

South Carolina Department of Health and Environmental Control. Respondent, and

Roper Pond, LLC is Respondent-Appellant.

PROOF OF SERVICE


I certify that I have served the Respondent-Appellant Roper Pond, LLC's Notice of Cross Appeal on counsel of record for South Carolina Department of Health and South Carolina Environmental Law Project and on the Clerk of the South Carolina Administrative Law Clerk by depositing a copy of it in the United States Mail, postage prepaid, on July 21, 2017, addressed to:

Stephen P. Hightower, Esquire
Office of General Counsel
South Carolina Department of Health
and Environmental Control
2600 Bull Street
Columbia, SC 29201

Amy E. Armstrong, Esquire
South Carolina Environmental Law
Post Office Box 1380
Pawleys Island, SC 29585
430 Highmarket Street
Georgetown, SC 29440

The Honorable Jana E. Shealy, Clerk
South Carolina Administrative Law Court
Edgar A. Brown Building
1205 Pendleton Street, Suite 224
Columbia, SC 29201

July 21, 2017



W. Thomas Lavender, Jr. (SC Bar No. 3143)
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Attorneys for Respondent-Appellant Roper Pond,
LLC

Joan W. Hartley
Special Counsel
Admitted in SC, NC

July 21, 2016

HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

Re: *Town of Arcadia Lakes, et al. v. South Carolina Department of
Health and Environmental Control and Roper Pond, LLC*
Docket No. 09-ALC-07-0069-CC

Dear Ms. Kitchings:

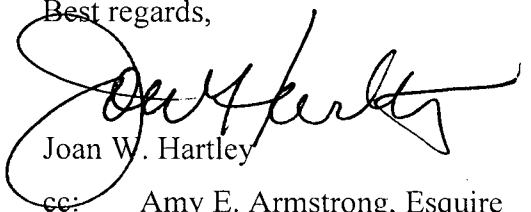
Enclosed for filing please is a Notice of Cross Appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the Notice of Cross Appeal;
- (2) A copy of the following orders which are to be challenged on appeal:
 - a) Order for Attorneys' Fees, Costs and for Sanctions dated June 14, 2017;
 - b) Order dated March 24, 2017; and
 - c) Amended Order Vacating Order on Respondents' Petitioner for Attorneys' Fees and Costs and for Sanctions dated March 15, 2017;
- (3) Our firm's check in the amount of \$100 for the filing fee.

Charleston
Charlotte
Columbia
Greensboro
Greenville
Hilton Head
Myrtle Beach

Please return a stamped-filed copy of the Notice and Proof of Service via our courier. We appreciate your assistance in this matter.

Best regards,


Joan W. Hartley

cc: Amy E. Armstrong, Esquire
Stephen P. Hightower, Esquire

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JUL 21 2017

SC Court of Appeals