

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
Robert E. Hood, Circuit Court Judge

Civil Action No. 2016-CP-40-03478
Appellate Case No. 2017-000561

RECEIVED
OCT 05 2017
SC Court of Appeals

Cricket Store 17, LLC d/b/a Taboo,.....Appellant,

v.

City of Columbia Board of Zoning Appeals,.....Respondent.

And

City of Columbia Zoning Administrator,.....Counterclaimant,

v.

Cricket Store 17, LLC d/b/a Taboo,.....Counterdefendant.

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

In addition to content included in the Appellant's Designation of Matter, the Respondent designates the following materials to be included in the Record on Appeal:

1. Taboo's Summons & Amended Complaint, filed June 15, 2016.
2. City's Answer and Counterclaim for Injunctive Relief, filed July 8, 2016.
3. Exhibit A to City's Answer and Counterclaim, BZA Order and Record for case 16-010-AA, filed July 8, 2016.
4. Exhibit B to City's Answer and Counterclaim BZA Order and Record for case 16-011-AA, filed July 8, 2016.
5. Taboo's Reply to Counterclaim, filed August 9, 2016.

6. Letter confirming Scott D. Bergthold's application for admission *Pro Hac Vice*, filed August 24, 2017.
7. City's Motion in Support of *Pro Hac Vice* Application, filed September 1, 2016.
8. Verified Application for admission *Pro Hac Vice*, filed September 1, 2016.
9. Order Granting Attorney Scott D. Bergthold's Admission *Pro Hac Vice*, filed September 1, 2016.
10. Taboo's Demand for Pre-Hearing Mediation, filed September 12, 2016.
11. Order Granting Attorney Scott D. Bergthold Admission *Pro Hac Vice*, filed January 26, 2017.
12. Order Affirming Zoning Board Decisions, filed February 6, 2017.

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



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Attorney for City of Columbia
Board of Zoning Appeals and City of
Columbia Zoning Administrator

Columbia, South Carolina

October 5, 2017

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
Robert E. Hood, Circuit Court Judge

Civil Action No. 2017-CP-23-03372
Appellate Case No. 2017-000561

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Cricket Store 17, LLC d/b/a Taboo,.....Appellant,

v.

City of Columbia Board of Zoning Appeals,.....Respondent.

And

City of Columbia Zoning Administrator,.....Counterclaimant,

v.

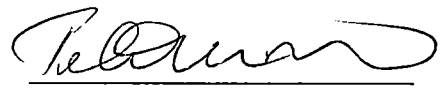
Cricket Store 17, LLC d/b/a Taboo,.....Counterdefendant.

PROOF OF SERVICE

I certify that on October 5, 2017, I have served all counsel in this action with a copy of Respondent’s Designation of Matter to be Included in the Record on Appeal by mailing a copy of the same by United States Mail, postage prepaid, to the following address:

Thomas R. Goldstein
Belk, Cobb, Infinger & Goldstein, P.A.
Attorney for Appellant
P.O. Box 711121
N. Charleston, South Carolina 29415-1121

Dated: October 5, 2017



Peter M. Balthazor
Counsel for Respondent

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October 5, 2017

VIA HAND-DELIVERY

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

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SC Court of Appeals

Re: Cricket Store 17, LLC d/b/a Taboo v. City of Columbia Board of Zoning Appeals AND
City of Columbia Zoning Administrator v. Cricket Store 17, LLC d/b/a Taboo
Civil Action No.: 2016-CP-40-03478
Appellate Case No.: 2017-000561
Our File No.: 5253.00114

Dear Ms. Kitchings:

Please find enclosed the original and one copy of the Respondent's Initial Brief and Designation of Matter to be included in the Record on Appeal by Respondent, with proof of service in the above-referenced matter. Please file the enclosed documents and return a filed copy with my runner.

Please contact me if you have any questions or comments concerning this correspondence or any other matter.

Sincerely,



Peter M. Balthazor

PMB/krb

Enclosures

Cc: Thomas R. Goldstein, Esquire

Riley Pope
& Laney, LLC ATTORNEYS AND COUNSELORS AT LAW
POST OFFICE BOX 11412
COLUMBIA, SOUTH CAROLINA 29211

TO:

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

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