

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Honorable John D. McLeod, Administrative Law Judge

Case No. 16-ALJ-17-0113-CC
Appellate Case No. 2017-001519

RECEIVED
DEC 29 2017
SC Court of Appeals

Books-A-Million, Inc.,Appellant,

v.

South Carolina Department of Revenue,Respondent.

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

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

ORDERS

1. Final Order and Decision filed June 1, 2017
2. Order Vacating Previous Order and Amending Order Granting Respondent's Motion for Summary Judgment filed June 6, 2017
3. Order Denying Appellant's Motion for Reconsideration Under the ALC Rule 29(D) and/or to Alter or Amend Under SCRCR Rule 59(e) filed June 20, 2017

DETERMINATIONS

4. Department Determination dated March 15, 2016

TRANSCRIPTS

5. Hearing Transcript from the ALC hearing on May 9, 2017

MOTIONS

1. Respondent's Motion for Summary Judgment and Memorandum in Support of Respondent's Motion for Summary Judgment dated March 6, 2017
2. Appellant's Motion for Summary Judgment and Petitioner's Memorandum in Support of Motion for Summary Judgment dated March 6, 2017
3. Respondent's Response in Opposition to Petitioner's Motion for Summary Judgment and Memorandum in Support of Respondent's Motion for Summary Judgment dated March 27, 2017
4. Petitioner's Memorandum of Law in Opposition to DOR's Motion for Summary Judgment dated March 27, 2017
5. Respondent's Reply to Petitioner's Memorandum of Law in Opposition to DOR's Motion for Summary Judgment dated April 6, 2017
6. Petitioner's Reply in Opposition to Respondent's Response in Opposition to Petitioner's Motion for Summary Judgment and Memorandum in Support of Petitioner's Motion for Summary Judgment dated April 6, 2017
7. Appellant's Motion for Reconsideration Under the ALC Rule 29(D) and/or to Alter or Amend Under SCRCR Rule 59(e) dated June 15, 2017
8. Respondent's Response in Opposition to Petitioner's Motion for Reconsideration dated June 20, 2017

OTHER MATERIALS AND DOCUMENTS

9. Stipulations of Fact filed September 13, 2016
10. Appellant's Proposed Order along with copies of relevant documents cited therein dated May 26, 2017
11. Respondent's Proposed Order dated May 26, 2017

The undersigned counsel hereby certifies pursuant to Rule 209(c), SCACR, that this designation contains no matter which is irrelevant to this appeal.

{Signature on Following Page}



Lauren Acquaviva (Bar No. 100528)

Counsel for Litigation

Sean G. Ryan (Bar No. 76585)

Managing Counsel for Litigation

P.O. Box 12265

Columbia, SC 29211-9979

(803) 898-5110

Lauren.Acquaviva@dor.sc.gov

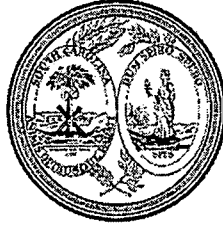
CourtOrders@dor.sc.gov

Attorneys for Respondent

South Carolina Department of Revenue

December 29, 2017

STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE
OFFICE OF THE GENERAL COUNSEL



300A Outlet Pointe Blvd.
Columbia, SC 29210

PO Box 12265
Columbia, SC 29211-9979

VIA HAND DELIVERY

December 29, 2017

RECEIVED
DEC 29 2017
SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Books-A-Million, Inc., v. South Carolina Department of Revenue
Appellate Case No. 2017-001519
ALC Docket No. 16-ALJ-17-0113-CC

Dear Ms. Kitchings:

Enclosed please find copy of the following documents in connection with the above-referenced matter:

1. Initial Brief of Respondent;
2. Respondent's Designation of Matter to be Included in the Record on Appeal; and
3. Proof of Service.

If you should have any questions, please do not hesitate to contact me.

Sincerely yours,

OFFICE OF GENERAL COUNSEL FOR LITIGATION

Lauren Acquaviva

Lauren Acquaviva
Counsel for Litigation
803-898-5110
Lauren.Acquaviva@dor.sc.gov

Enclosures

c: Burnet R. Maybank, III Esquire
Jim Rourke, Esquire

LA:gjm



SOUTH CAROLINA DEPARTMENT OF REVENUE
OFFICE OF GENERAL COUNSEL FOR LITIGATION
P O BOX 12265
COLUMBIA SC 29211-9979

CE-6

ATTN: OGC

RECEIVED

DEC 29 2017

SC Court of Appeals

THE HONORABLE JENNY ABBOTT KITCHINGS
CLERK OF SC COURT OF APPEALS
P O BOX 11629
COLUMBIA SC 29211