

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
DeAndrea Gist Benjamin, Circuit Court Judge

Case No. 2016-CP-40-06276

RECEIVED

FEB 23 2018

SC Court of Appeals

RICHLAND COUNTY
FILED
2018 FEB 23 PM 12:42
JEANETTE W. MORRIS
C.C.P. & G.S.

Opternative, Inc., Appellant,

v.

South Carolina Board of Medical Examiners, Respondents,

and

The South Carolina Department of Labor, Licensing
& Regulation, and the South Carolina Optometric Respondents-
Physicians Association..... Intervenors.

NOTICE OF APPEAL

Opternative, Inc. ("Appellant"), appeals the attached Order of Judgment electronically filed by the Honorable DeAndrea Gist Benjamin on January 26, 2018, and received in written form by Appellant the same day via electronic delivery.


[Signature Page Attached]

Respectfully submitted,

INSTITUTE FOR JUSTICE

Robert J. McNamara*
VA Bar No. 73208
E-Mail: rmcnamara@ij.org
Joshua A. Windham*
NC Bar No. 51071
E-Mail: jwindham@ij.org
901 North Glebe Road, Suite 900
Arlington, VA 22203
Tel: (703) 682-9320
**Admitted Pro Hac Vice*

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 
Miles E. Coleman
SC Bar No. 78264
E-Mail: miles.coleman@nelsonmullins.com
William C. Wood, Jr.
SC Bar No. 015111
E-Mail: bill.wood@nelsonmullins.com
1320 Main Street / 17th Floor
Post Office Box 11070 (29211-1070)
Columbia, SC 29201
Tel: (803) 799-2000

Attorneys for Appellant Opternative, Inc.

Columbia, South Carolina
February ~~22~~, 2018.

Other Counsel of Record:

Eugene H. Matthews, Esquire
Richardson Plowden & Robinson, PA
Post Office Drawer 7788
Columbia, SC 29202
Attorney for Respondent

Kirby D. Shealy III, Esquire
Adams and Reese LLP
1501 Main Street, 5th Floor
Columbia, SC 29201
Attorney for Respondent-Intervenor

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
DeAndrea Gist Benjamin, Circuit Court Judge

Case No. 2016-CP-40-06276

RECEIVED
FEB 23 2018
SC Court of Appeals

Opternative, Inc., Appellant,

v.

South Carolina Board of Medical Examiners, Respondents,

and

The South Carolina Department of Labor, Licensing
& Regulation, and the South Carolina Optometric
Physicians Association Respondents-
Intervenors.

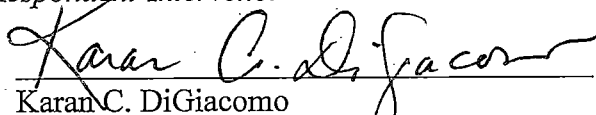
PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Opternative, Inc., do hereby certify that I have served all counsel in this action with a copy of the pleading hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following addresses:

Pleading: Notice of Appeal

Counsel Served: Eugene H. Matthews, Esquire
Richardson Plowden & Robinson, PA
Post Office Drawer 7788
Columbia, SC 29202
Attorney for Respondent

Kirby D. Shealy III, Esquire
Adams and Reese LLP
1501 Main Street, 5th Floor
Columbia, SC 29201
Attorney for Respondent-Intervenor


Karan C. DiGiacomo
Administrative Assistant

February 23, 2018