

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

DeAndrea Gist Benjamin, Circuit Court Judge

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**Appellate Case No. 2018-000326**  
**Case No. 2016-CP-40-06276**

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**RECEIVED**  
APR 25 2018  
SC Court of Appeals

Opternative, Inc., .....Appellant,

v.

South Carolina Board of Medical Examiners and the South Carolina Department of  
Labor, Licensing & Regulation, .....Respondents,

And South Carolina Optometric Physicians Association, .....Respondent.

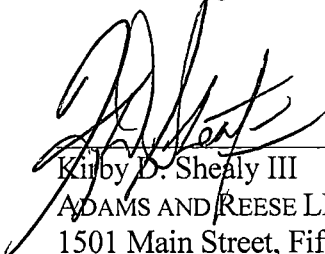
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INITIAL BRIEF OF RESPONDENT SOUTH CAROLINA OPTOMETRIC  
PHYSICIANS ASSOCIATION

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*Attorneys for Respondent*

Respondent South Carolina Optometric Physicians Association files this Initial Brief pursuant to Rule 208(b)(6), S.C.A.C.R. and hereby adopts by reference the Initial Brief of Respondents South Carolina Board of Medical Examiners and the South Carolina Department of Labor, Licensing & Regulation filed with this Court on April 25, 2018.



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April 25, 2018.

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South Carolina Board of Medical Examiners and the South Carolina Department of Labor,  
Licensing & Regulation, ..... Respondents,

And South Carolina Optometric Physicians Association, .....Respondent.

PROOF OF SERVICE

I certify that I have served **Respondent South Carolina Optometric Physicians Association's Initial Brief and Designation of Matter to be Included in the Record on Appeal** on Respondents by depositing a copy of said documents in the United States Mail, postage prepaid, on April 25, 2018, addressed to counsel of record as follows:

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April 25, 2018.

April 25, 2018

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VIA HAND DELIVERY:

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

RECEIVED

APR 25 2018

RE: *Opternative v. SC Board of Medical Examiners*  
Appellate Case No.: 2018-000326  
AR File No. 052759-00005

SC Court of Appeals

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced matter are the original and one copy of the Respondent's Initial Brief and Designation of Matter to Be Included in the Record on Appeal. Please file the originals and return the clocked-in copies to my courier delivering same. By copy of this letter, I am serving all counsel of record with the brief and designation of matter as set forth in the enclosed Proof of Service. Please call me if you have questions.

Sincerely

  
Kirby D. Shealy III

KDS/vmc  
Enclosures

cc: Miles E. Coleman, Esq.  
William C. Wood, Jr., Esq.  
Robert J. McNamara, Esq.  
Joshua A. Windham, Esq.  
Eugene H. Matthews, Esq.