

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

DeAndrea Gist Benjamin, Circuit Court Judge

RECEIVED
APR 25 2018
SC Court of Appeals

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

Opternative, Inc.,Appellant,

v.

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

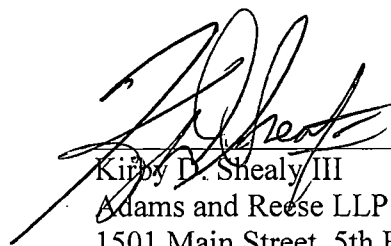
And South Carolina Optometric Physicians Association,Respondent.

RESPONDENT SOUTH CAROLINA OPTOMETRIC PHYSICIANS ASSOCIATION'S
DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

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

1. Defendant-Intervenor's Memorandum of Law in Response to the Parties' Motion for Summary Judgment filed on October 3, 2017, including exhibits 1 and 2.

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



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Attorneys for Respondent South Carolina
Optometric Physicians Association

April 25, 2018.

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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:

Miles E. Coleman, Esq.
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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

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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.