

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Shirley C. Robinson, Administrative Law Judge

Appellate Case No. 2018-001868

RECEIVED
NOV 29 2018
SC Court of Appeals

South Carolina Department of Health and
Environmental Control, Appellant-Respondent,

v.

James W. Davenport, Respondent-Appellant.

RESPONDENT-APPELLANT'S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL FOR CROSS APPEAL


Respondent-Appellant, James W. Davenport, by and through his undersigned counsel, hereby proposes the following to be included in the Record on Appeal:

1. Respondent's Petition for Attorneys' Fees and Court Costs, with Attachments;
2. DHEC's Memorandum in Opposition to James W. Davenport's Petition for Attorney's Fees and Court Costs;
3. Respondent's Reply Brief in Support of Petition for Attorney's Fees and Costs, with Attachments;
4. Excerpt from Transcript of Motions Hearing (June 13, 2018), pp. 1-2, 50-51;
5. Objection Letter from D. Rothstein to Hon. Shirley C. Robinson (June 25, 2018);
6. Order Granting Respondent's Petition for Attorney's Fees (Aug. 1, 2018)
7. DHEC's Motion to Alter or Amend (Reconsider) Order Granting Petition for Attorney's Fees;
8. Respondent's Memorandum of Law in Opposition to Petitioner's Motion for Reconsideration of Attorney Fee Order; and
9. Order on Petitioner's Motion to Alter or Amend

* * *

The undersigned certifies that this Designation contains no matter which is irrelevant to this appeal.

November 26, 2018

A handwritten signature in black ink, appearing to read "David E. Rothstein", written over a horizontal line.

David E. Rothstein
Rothstein Law Firm, PA
1312 Augusta Street
Greenville, SC 29605
(864) 232-5870
Attorney for Respondent-Appellant

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PROOF OF SERVICE

I certify that I have served the Respondent-Appellant's Designation of Matter to be Included in the Record on Appeal for Cross Appeal upon Appellant-Respondent, South Carolina Department of Health and Environmental Control, by depositing a copy of it in the United States Mail, postage prepaid, on November 26, 2018, addressed to its attorneys of record, Ashley C. Biggers and Vito M. Wicevic, South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, SC 29201.

November 26, 2018



David E. Rothstein
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Attorney for Respondent-Appellant



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SC Court of Appeals

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

Re: South Carolina Department of Health and Environmental Control v. Davenport,
Appellate Case No. 2018-001868

Dear Ms. Kitchings:

Enclosed please find the original and one copy each of the Initial Brief of Respondent-Appellant on Cross Appeal and Respondent-Appellant's Designation of Matter to be Included in the Record on Appeal for Cross Appeal in the above-referenced case. Please file the originals and return a clocked-in copy of each to me via the enclosed return envelope.

As indicated on the attached Proof of Service for each document, I am hereby serving a copy of the Initial Brief and Designation on Counsel for Appellant-Respondent.

Thank you in advance for your attention to this matter. If you have any questions or need anything else, please do not hesitate to call me or email me.

Sincerely yours,

David E. Rothstein

Enclosures

cc: Ashley C. Biggers, Esq.
Vito M. Wicevic, Esq.



ROTHSTEIN LAW FIRM, PA

1312 Augusta Street ♦ Greenville, SC 29605

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