

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

Appeal from the
ADMINISTRATIVE LAW COURT
The Honorable Deborah Brooks Durden, Administrative Law Judge

Appellate Case No. 2018-001870
Case No. 18-ALJ-17-0002-CC

Rooftop Bar, LLC, d/b/a Rooftop Bar and Lounge.....Respondent,

v.

South Carolina Department of Revenue.....Respondent,

and

Thomas R. Gottshall and April C. Lucas.....Intervenors, Appellants.

INTERVENORS, APPELLANTS DESIGNATION OF MATTER

Pursuant to Rule 209 of the appellate rules, Intervenors, Appellants Thomas R. Gottshall and April C. Lucas hereby designate the following matters for inclusion in the record on appeal in this case:

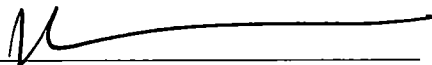
1. The Administrative Law Court's (ALC's) Final Order;
2. The ALC's order denying Appellants' Rule 59(e) motion;
3. Intervenor, Appellant's proposed final order;
4. Intervenor, Appellant's Rule 59(e) motion;
5. Respondent Rooftop Bar, LLC, d/b/a Rooftop Bar and Lounge's (Rooftop's) proposed final order;

RECEIVED
DEC 19 2018
SC Court of Appeals

6. The South Carolina Department of Revenue's entire file in this matter (DOR Exhibit No. 1);
7. Intervenors' Exhibit Nos. 1 (including the errata sheet), 2, 3, and 6;
8. Rooftop Exhibit Nos. 2 and 3; and
9. The entire Final Hearing transcript.

The undersigned hereby certifies that these designations do not include any matter that is irrelevant to this appeal.

Respectfully submitted by,


Richard A. Harpootlian (SC Bar No. 2725)
Christopher P. Kenney (SC Bar No. 100147)
RICHARD A. HARPOOTLIAN, P.A.
Post Office Box 1090
Columbia, South Carolina 29202
(803) 252-4848
(803) 252-4810 (facsimile)
rah@harpootlianlaw.com
cpk@harpootlianlaw.com

ATTORNEYS FOR INTERVENORS,
APPELLANTS THOMAS R. GOTTSALL
AND APRIL C. LUCAS

December 19, 2018
Columbia, South Carolina.

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable Deborah Brooks Durden, Administrative Law Judge

Case No. 18-ALJ-17-0002-CC

RECEIVED
DEC 19 2018
SC Court of Appeals

Rooftop Bar, LLC, d/b/a Rooftop Bar and Lounge.....Respondent,

v.

South Carolina Department of Revenue.....Respondent,

and

Thomas R. Gottshall and April C. Lucas.....Appellants.

CERTIFICATE OF SERVICE

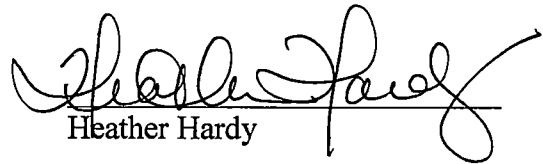
I, Heather Hardy, paralegal to the attorney for Richard A. Harpootlian representing Appellants Thomas R. Gottshall and April C. Lucas, with offices at 1410 Laurel Street, Post Office Box 1090, Columbia, South Carolina 29202, certify that on December 19, 2018, served the following document to the below mentioned person:

Document: Designation of Matter.

Served: (served via U.S. mail)
Michael H. Montgomery, Esquire
Post Office Box 11886
Columbia, South Carolina 29211-1186

(served via U.S. mail)
Elisabeth W. Shields, Esquire
Patrick McCabe, Esquire
S.C. Department of Revenue
Post Office Box 12265
Columbia, South Carolina 29211

(served via hand delivery)
The Honorable Jana E. Shealy
Clerk of Court
South Carolina Administrative Law Court
Edgar A. Brown Building
1205 Pendleton Street, Suite 224
Columbia, SC 29201


Heather Hardy



HARPOOTLIAN
ATTORNEYS AT LAW

RICHARD A. HARPOOTLIAN
RAH@HARPOOTLIANLAW.COM

CHRISTOPHER P. KENNEY
CPK@HARPOOTLIANLAW.COM

JAMIE L. HARPOOTLIAN*
OF COUNSEL
*ADMITTED IN LOUISIANA

OFFICE
1410 LAUREL STREET
COLUMBIA, SC
29201

MAILING ADDRESS
POST OFFICE BOX 1090
COLUMBIA, SC
29202

DIRECT CONTACT
TELEPHONE (803) 252-4848
FACSIMILE (803) 252-4810
TOLL FREE (866) 706-3997

ONLINE
HARPOOTLIANLAW.COM

December 19, 2018
VIA HAND DELIVERY

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

RECEIVED
DEC 19 2018
SC Court of Appeals

In re: Rooftop Bar, LLC, d/b/a Rooftop Bar and Lounge v. SCDOR
Appellate Case No. 2018-001870


Dear Ms. Kitchings:

Enclosed please find the original and six copies of Intervenor, Appellants Gottshall and Lucas's Initial Brief and Designation of Matter.

By copy of this letter, I am serving opposing counsel with the same.

With warmest personal regards, I am

Sincerely,


Christopher P. Kenney

/hnh

Enclosures

cc: Mike Montgomery, Esq.
Elisabeth Shields, Esq.