

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM DORCHESTER COUNTY
COURT OF COMMON PLEAS
THE HONORABLE KRISTI LEA HARRINGTON
CIRCUIT COURT JUDGE

APPELLATE CASE NO. 2018-001262
CIVIL ACTION NO. 2016-CP-18-00838

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SC Court of Appeals

Dorchester County Taxpayers Association, individually and on behalf of all others similarly situated; Weatherstone Property Owners Association, individually and on behalf of all others similarly situated; George Resnick; William A. Harbeson; James Stephen Greene, Jr.; Homer P. Gonzalez; Gerald E. Ziegler; David Messinger; and South Carolina Public Interest Foundation,

APPELLANTS,

versus

Dorchester County; Dorchester County Council; David Chinnis, George Bailey, Jay Byars, Willie Davis, Carroll S. Duncan, Larry Hargett, and William R. Hearn, Jr., in their official capacities as Members of Dorchester County Council; Town of Summerville; Summerville Town Council; William E. McIntosh, III, in his official capacity; Dorchester County Sheriff, Luther C. Knight, in his official capacity; Captain Tony Phinney, individually and in his official capacity as an employee of the Dorchester County Sheriff; Dorchester School District Two; Dorchester School District Two Board of Trustees; Joseph R. Pye, Justin Farnsworth, Gail Hughes, Brian Mitchum, Tanya Robinson, Sam Clark, Barbara Crosby, and Lisa Tupper, in their official capacities; Dorchester School District Four; Dorchester School District Four Board of Trustees; Dorchester County Career and Technology Center; and Dorchester County Career and Technology Center Board of Trustees,

RESPONDENTS.

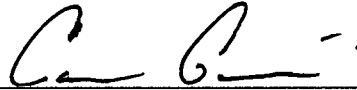
**DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL OF DORCHESTER COUNTY;
DORCHESTER COUNTY COUNCIL; DAVID CHINNIS,
GEORGE BAILEY, JAY BYARS, WILLIE DAVIS, CARROLL S. DUNCAN,
LARRY HARGETT, AND WILLIAM R. HEARN, JR., IN THEIR OFFICIAL
CAPACITIES AS MEMBERS OF DORCHESTER COUNTY COUNCIL;
DORCHESTER COUNTY SHERIFF LUTHER C. KNIGHT, IN HIS OFFICIAL
CAPACITY; and CAPTAIN TONY PHINNEY, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY AS AN EMPLOYEE OF THE
DORCHESTER COUNTY SHERIFF**

The County Defendants, Respondents in the above referenced matter, propose the following be included in the Record on Appeal:

1. Complaint, filed May 2, 2016;
2. Amended Complaint, filed May 6, 2016;
3. Second Amended Complaint, filed December 12, 2016;
4. The County Defendants' Motion to Dismiss, filed January 23, 2017;
5. Captain Phinney's Motion to Dismiss, filed February 3, 2017;
6. Transcript of Hearing Held on December 12, 2017 before The Honorable Kristi Lea Harrington;
7. Order Granting the County Defendants' Motion to Dismiss, filed March 15, 2018;
8. Motion for Reconsideration of Order Granting the County Defendants' Motion to Dismiss, filed April 3, 2018;
9. The County Defendants' Response to Motion to Reconsider, filed April 16, 2018; and
10. Order Denying the Motion to Reconsider, filed June 11, 2018.

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

Respectfully submitted,



Anthony E. Rebollo
Carmen V. Ganjehsani
RICHARDSON, PLOWDEN & ROBINSON, PA
1900 Barnwell Street (29201)
Post Office Drawer 7788
Columbia, South Carolina 29202
(803) 771-4400

Drew Hamilton Butler
RICHARDSON, PLOWDEN & ROBINSON, PA
Post Office Box 21203
Charleston, South Carolina 29413
(843) 805-6550

**Attorneys for Respondents Dorchester County;
Dorchester County Council; David Chinnis,
George Bailey, Jay Byars, Willie Davis, Carroll
S. Duncan, Larry Hargett, and William R.
Hearn, Jr., in their official capacities as members
of Dorchester County Council; Dorchester
County Sheriff Luther C. Knight, in his official
capacity; and Captain Tony Phinney,
individually and in his official capacity as an
employee of the Dorchester County Sheriff**

January 9, 2019.

CERTIFICATE OF SERVICE

I, the undersigned, attorney for the Respondents named below, do hereby certify that I have this date served the foregoing Designation of Matter to be Included in the Record on Appeal, dated January 9, 2019, by causing the same to be deposited in a United States Postal Service mailbox, postage prepaid, addressed to counsel of record as indicated below:

W. Andrew Gowder, Jr., Esq.
Austen & Gowder, LLC
1629 Meeting Street, Suite A
Charleston, SC 29464
andy@austengowder.com

And

Michael T. Rose, Esq.
Mike Rose Law Firm, PC
409 Central Ave
Summerville, SC 29483
mrose5@sc.rr.com
Attorneys for Appellants

William H. Davidson, II, Esq.
Davidson & Lindemann, PA
P.O. Box 8568
Columbia, SC 29202-8568
[wdavidson@dml-law.com](mailto:w davidson@dml-law.com)

And

Eric P. Doerring, Esq.
Robert L. Widener, Esq.
McNair Law Firm, PA
P.O. Box 11390
Columbia, SC 29211
edoerring@mcnair.net
Co-Attorneys for Town of Summerville, Summerville Town Council, and William E. McIntosh, III in official capacity

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David L. Morrison, Esq.
Morrison Law Firm, LLC
7453 Irmo Drive, Suite B
Columbia, SC 29212
Attorney for Dorchester County Career and Technology Center and its Board of Trustees

Thomas K. Barlow, Esq.
John M. Reagle, Esq.
Halligan, Mahoney & Williams
P.O. Box 11367
Columbia, SC 29211-1367
jreagle@childs-halligan.net
tbarlow@childs-halligan.net
Attorneys for Respondents Dorchester School District Two, Dorchester School District Two Board of Trustees and individual Trustees

Kenneth A. Davis, Esq.
Christopher S. Elliott, Esq.
Adam J. Mandell, Esq.
Boykins & Davis, LLC
P.O. Box 11844
Columbia, SC 29211
celliot@boykinlawsc.com
amandell@boykinlawsc.com
kdavis@boykinlawsc.com
Attorneys for Dorchester County School District Four and Dorchester County School District Four Board, and its Board of Trustees

[signature block on following page]



Carmen V. Ganjehsani
RICHARDSON, PLOWDEN & ROBINSON, PA
1900 Barnwell Street (29201)
Post Office Drawer 7788
Columbia, South Carolina 29202
(803) 771-4400

**Attorneys for Respondents Dorchester County;
Dorchester County Council; David Chinnis,
George Bailey, Jay Byars, Willie Davis, Carroll
S. Duncan, Larry Hargett, and William R.
Hearn, Jr., in their official capacities as members
of Dorchester County Council; Dorchester
County Sheriff Luther C. Knight, in his official
capacity; and Captain Tony Phinney,
individually and in his official capacity as an
employee of the Dorchester County Sheriff**

Dated: January 9, 2019.

Reply to: **Carmen V. Ganjehsani**
Direct Dial: 803-253-8692
cganjehsani@richardsonplowden.com

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: *Dorchester County Taxpayers Association v. Dorchester County et al.*
Appellate Case No. 2018-001262
RPR File No.: 181-861

Dear Ms. Kitchings:

Enclosed for filing are the original Initial Respondent's Brief of the County Respondents and the Respondent's Designation of Matter to be Included in the Record on Appeal in the above-referenced matter, along with our original Certificates of Service.

By copy of this letter, we are this day serving a copy of our Initial Brief and Designations on opposing counsel.

Should you have any questions regarding this matter, please do not hesitate to call.

Sincerely,



Carmen V. Ganjehsani

CVG/lmi
Enclosures

The Honorable Jenny Abbott Kitchings

January 9, 2019

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cc: W. Andrew Gowder, Jr., Esq. (via U.S. Mail)
Michael T. Rose, Esq. (via U.S. Mail)
David Leon Morrison (via U.S. Mail)
Erik P. Doerring, Esq. (via U.S. Mail)
Robert L. Widener, Esq. (via U.S. Mail)
William H. Davidson, II, Esq. (via U.S. Mail)
Thomas K. Barlow, Esq. (via U.S. Mail)
John M. Reagle, Esq. (via U.S. Mail)
Kenneth A. Davis, Esq. (via U.S. Mail)
Christopher S. Elliott, Esq. (via U.S. Mail)
Adam J. Mandell, Esq. (via U.S. Mail)
Drew H. Butler, Esq. (FYI) (via email)
Anthony E. Rebollo, Esq. (FYI) (via email)

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ZIP 29201
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RICHARDSON
RICHARDSON PLOWDEN ROBINSON, P.A.
PLOWDEN
ATTORNEYS AT LAW

COLUMBIA P.O. Drawer 7788 • Columbia, SC 29202

The Honorable Jenny Abbott Kitchings
Clerk of Court, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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