

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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SC Court of Appeals

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

Appellate Case No. 2018-001788

Toyota of Greer Appellant,

v.

South Carolina Department of Motor Vehicles Respondent.

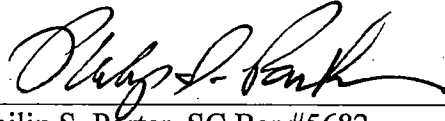
**DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL
AND CERTIFICATE OF COUNSEL**

Respondent hereby adopts Appellant's Designation of Matter to Be Included in the Record on Appeal with suggested addition/alteration as follows:

1. The Dealer and Wholesaler Manual that was placed in the record before the Administrative Law Court was the 2007 Manual because it was the most current version of the Manual as of the Appellant's Dealer application which was admitted as Petitioner's Exhibit 1 (ALC Record at 331-332) The Manual actually in the Record is Petitioner's Exhibit 2, in ALLC Record 312-429. The Department objects to another version being placed in the record that was not put before the Hearing Officer nor in the record before the Administrative Law Court.

Undersigned Counsel certifies pursuant to SCARC Rule 209.(c) that this Designation contains no matter which is irrelevant to the Appeal.

(the signature is on the following page)



Philip S. Porter, SC Bar #5682
Deputy General Counsel
S.C. Department of Motor Vehicles

February 15, 2019
Blythewood, South Carolina

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Toyota of Greer Appellant,

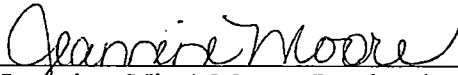
v.

South Carolina Department of Motor Vehicles Respondent.

PROOF OF SERVICE

PURSUANT TO SCACR, I HEREBY CERTIFY that today, February 15, 2019, I served one (1) copy of the Respondent's Initial Brief and Designation of Matter by depositing with the United States Postal Service, correct postage prepaid, to Counsel for the Appellant at the address indicated below:

Bradford N. Martin, Esquire
Post Office Box 10410
Greenville, South Carolina 29603
Counsel for Appellant


Jeannine (Nina) Moore, Paralegal
Office of General Counsel

February 15, 2019
Blythewood, South Carolina

Henry McMaster
Governor



Kevin A. Shwedo
Director

State of South Carolina
Department of Motor Vehicles

February 15, 2019

The Honorable Jenny Abbott Kitchings
Clerk, The South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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RE: *Toyota of Greer v. South Carolina Department of Motor Vehicles*
Appellate Case No: 2018-001788

Dear Ms. Kitchings:

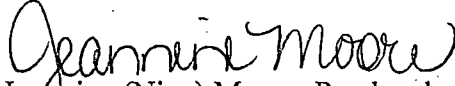
Enclosed for filing please find the following documents:

1. Unbound original and two (2) copies of the Respondent's Initial Brief;
2. Original and two (2) copies of the Respondent's Designation of Matter To Be Included In the Record on Appeal with Certificate of Counsel of SCACR, Rule 209 (c) compliance; and
3. Certificate of Service of these documents on counsel for the Appellant.

Please file the original and copies necessary for SCACR compliance and return the extra copies to me with an affixed clerk's date of filing in the enclosed self-addressed stamped envelope.

Thank you for your cooperation in this matter.

In kind regards,


Jeannine (Nina) Moore, Paralegal
Office of General Counsel

Enclosures

cc: Bradford N. Martin, Esquire



South Carolina Department of Motor Vehicles

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Blythewood, South Carolina 29016

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The Honorable Jenny Abbott Kitchings
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