

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM LEE COUNTY  
Court of Common Pleas  
Kristi F. Curtis, Circuit Court Judge

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Appellate Case No. 2019-000501  
Civil Action No. 2018-CP-31-00047

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**RECEIVED**  
JUN 03 2019  
SC Court of Appeals

Kevin Cox, on behalf of himself and all others  
similarly situated.....Appellant,

v.

South Carolina Education Lottery Commission  
d/b/a South Carolina Education Lottery.....Respondent.

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**RESPONDENT SOUTH CAROLINA EDUCATION LOTTERY COMMISSION'S  
DESIGNATION OF MATTER FOR THE RECORD ON APPEAL**

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Pursuant to Rule 209, SCACR, Respondent South Carolina Education Lottery Commission (“SCEL”) designates the following matter for inclusion in the record on appeal. These designations are in addition to the matters designated Appellant and by Respondent Intralot, Inc. (“Intralot”), which are incorporated as if set forth herein. Undersigned counsel certifies pursuant to Rule 209(c), SCACR, that the designation contains no matter irrelevant to the appeal.

**Orders**

1. Order granting SCEL’s Motion to Dismiss (February 25, 2019).
2. Order granting Intralot’s Motion to Dismiss (February 25, 2019).

**Pleadings**

3. Complaint (February 20, 2018).
4. Amended Complaint (June 7, 2018).

**Motions and Memoranda**

5. SCEL's Motion to Dismiss (March 23, 2018).
6. SCEL's Memorandum in Support of the Motion to Dismiss (April 2, 2018).
7. Intralot's Motion to Dismiss and Memorandum in Support (July 25, 2018).
8. Plaintiff's Memorandum in Opposition to the Motions to Dismiss (July 27, 2018).

**Transcript**

9. Transcript of Hearing on SCEL's and Intralot's Motions to Dismiss (July 30, 2018).

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By: 

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*Attorneys for Appellant South Carolina Education  
Lottery Commission*

June 3, 2019  
Greenville, South Carolina

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PROOF OF SERVICE

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I hereby certify that I have caused a copy of Respondent South Carolina Education Lottery Commission's Initial Response Brief and Designation of Matter to be served upon all counsel of record, by mailing copies of same, postage prepaid to the following addresses:

Counsel Served: William E. Hopkins, Esquire  
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Respectfully submitted,

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June 3, 2019

**HAND DELIVERED**

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

**RECEIVED**  
JUN 03 2019  
SC Court of Appeals

RE: *Cox v. S.C. Ed. Lottery Comm'n*  
Appellate Case No. 2019-000501  
Our File No. 055431/01502

Dear Ms. Kitchings:

In connection with the above captioned matter, enclosed please find an original and one copy of the Initial Response Brief of Respondent the South Carolina Education Lottery Commission. Also enclosed is an original and one copy of the Commission's Designation of Matter. We ask that you file the originals and return clocked-in copies to us via our courier.

By copy of this letter and by the Proof of Service enclosed, I am serving a copy of the Commission's Initial Response Brief and Designation on the other parties' counsel of record.

Very truly yours,



Miles E. Coleman

Enclosures

CC: William E. Hopkins, Esquire  
J. Clay Hopkins, Esquire  
J. Preston Strom, Jr., Esquire  
Mario A. Pacella, Esquire  
Bakari T. Sellers, Esquire