

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Ralph King Anderson, III, Administrative Law Judge

Docket No. 15-ALJ-07-0369-CC
Appellate Case No. 2019-000074

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JUL 22 2019
SC Court of Appeals

South Carolina Coastal Conservation League Appellant,

v.

South Carolina Department of Health and Environmental Control, KDP II, LLC,
and Kiawah Development Partners, II, Respondents.

DESIGNATION OF MATTER

The Appellant proposes the following to be included in the Record on Appeal:

Orders:

1. Final Order and Decision, dated September 24, 2018
2. Amended Final Order and Decision, dated December 14, 2018
3. Order Denying Motion for Reconsideration, dated December 14, 2018
4. Order Granting Motion for Stay, dated December 14, 2018
5. Order Denying Motion for Reconsideration, February 28, 2018
6. Order Denying Motion to Compel, dated January 22, 2018
7. Order Granting Motion to Partially Lift Automatic Stay (ALC), dated November 4, 2015
8. Order Granting Petition for Extraordinary Relief, dated November 20, 2015

Pleadings:

9. Request for Final Review Conference, filed June 12, 2015
10. Request for Contested Case Hearing, filed August 4, 2015
11. Prehearing Statement of Coastal Conservation League, filed September 29, 2015
12. Prehearing Statement of DHEC, dated September 29, 2015
13. Prehearing Statement of KDP II, Inc., dated September 29, 2015

14. Motion to Partially Lift the Automatic Stay (KDP II), dated September 18, 2015
15. Response to Motion to Partially Lift the Automatic Stay (CCL), dated October 9, 2015
16. Reply in Support of Motion to Partially Lift the Automatic Stay, dated October 14, 2015
17. Petition for Extraordinary Relief (S.Ct.), filed November 5, 2015
18. Return to Petition for Extraordinary Relief (KDP II), filed November 9, 2015
19. Reply to Return to Petition for Extraordinary Relief (CCL), filed November 10, 2015
20. Motion in Limine (CCL), filed August 18, 2017
21. Motion to Compel, filed October 12, 2017
22. Response to Motion to Compel (KDP), filed October 30, 2017
23. Reply to Response to Motion to Compel, filed November 20, 2017
24. Motion for Reconsideration (CCL), filed February 5, 2018
25. Motion for Stay (CCL), filed September 25, 2018
26. Return to Motion for Stay (KDP), filed October 9, 2018
27. Motion for Reconsideration (CCL), filed October 9, 2018
28. Return to Motion for Stay (KDP), filed October 15, 2018
29. Reply on Motion for Stay, filed October 26, 2018
30. Return to Motion for Reconsideration (KDP)
31. Reply on Motion for Reconsideration, filed November 9, 2018

Transcripts:

32. Transcript of Hearing conducted August 21-25 and 28-29, 2017
33. DHEC 30(b)(6) Deposition Transcripts of Rheta DiNovo & Shannon Hicks

Exhibits:

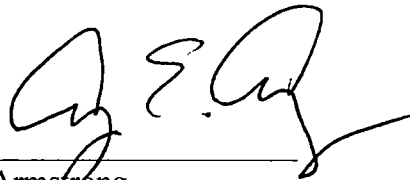
34. Joint Exhibit 1 2 4 6 7
35. Joint Exhibit 2
36. Joint Exhibit 4
37. Joint Exhibit 5
38. Joint Exhibit 6
39. Joint Exhibit 7
40. Petitioner's Exhibit 1
41. Petitioner's Exhibit 2
42. Petitioner's Exhibit 3
43. Petitioner's Exhibit 4
44. Petitioner's Exhibit 5
45. Petitioner's Exhibit 6
46. Petitioner's Exhibit 7
47. Petitioner's Exhibit 8
48. Petitioner's Exhibit 9
49. Petitioner's Exhibit 10
50. Petitioner's Exhibit 11
51. Petitioner's Exhibit 12
52. Petitioner's Exhibit 13

- 53. Petitioner's Exhibit 14
- 54. Petitioner's Exhibit 15
- 55. Petitioner's Exhibit 18
- 56. Petitioner's Exhibit 19
- 57. Petitioner's Exhibit 23
- 58. Petitioner's Exhibit 24
- 59. Petitioner's Exhibit 25
- 60. Petitioner's Exhibit 27
- 61. Petitioner's Exhibit 28
- 62. Petitioner's Exhibit 36
- 63. Petitioner's Exhibit 37
- 64. Petitioner's Exhibit 38
- 65. Petitioner's Exhibit 39
- 66. Petitioner's Exhibit 40
- 67. Petitioner's Exhibit 43

Other materials before the lower tribunal:

- 68. Email from Harvin Fair to all counsel of record, dated September 27, 2017
- 69. Email from Harvin Fair to all counsel of record, dated June 7, 2018

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



Amy E. Armstrong

Jessie A. White

SOUTH CAROLINA ENVIRONMENTAL
LAW PROJECT

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Attorneys for the S.C. Coastal Conservation League

Georgetown, South Carolina

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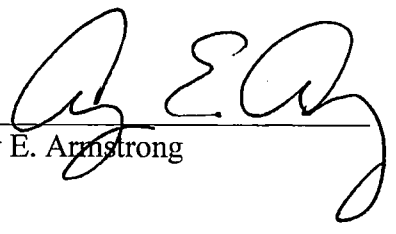
South Carolina Department of Health and Environmental Control, KDP II, LLC, and
Kiawah Development Partners, II, Respondents.

CERTIFICATE OF SERVICE

I hereby certify that on this date I served the foregoing Initial Brief and Designation on all parties by placing copies of same in the U.S. Mail addressed to:

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July 18, 2019



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SC Court of Appeals

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

Re: S.C. Coastal Conservation League v. SCDHEC, et al.;
Appellate Case No. 2019-000074

Dear Ms. Kitchings:

I am enclosing the South Carolina Coastal Conservation League's Initial Brief and Designation of Matter, along with my certificate of service.

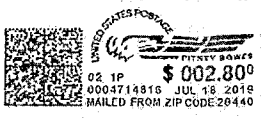
Thank you for your kind consideration and assistance with this matter.

Yours very truly,


Amy E. Armstrong

cc: Brad Churdar Esquire
G. Trenholm Walker, Esquire
Thomas Gressette, Esquire

S.C. Environmental Law Project
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Pawleys Island, SC 29585



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SC Court of Appeals

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