

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable H.W. Funderburk, Jr., Administrative Law Judge

APPELLATE CASE No.: 2019-000358
ADMINISTRATIVE LAW COURT CASE No.: 16-ALJ-07-0386-CC

Trident Medical Center, LLC, d/b/a Trident Medical Center.....Respondent,

v.

South Carolina Department of Health and Environmental Control,
and Roper St. Francis Hospital – Berkeley, Inc., d/b/a Roper
St. Francis Hospital – Berkeley.....Respondents below,

Of Which South Carolina Department of Health and Environmental
Control is a.....Respondent,

And Roper St. Francis Hospital – Berkeley, Inc., d/b/a
Roper St. Francis Hospital – Berkeley is the.....Appellant.

**APPELLANT’S DESIGNATION OF MATTER
TO BE INCLUDED IN RECORD ON APPEAL**

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James G. Long, III
Jennifer J. Hollingsworth
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Attorneys for Appellant

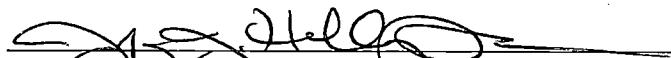
September 3, 2019

Roper St. Francis Hospital – Berkeley, Inc., d/b/a Roper St. Francis Hospital – Berkeley,
designates the following materials to the Record on Appeal:

1. Joint Exhibit #1 (DHEC Record for Roper Berkeley CON Application)
2. October 21, 2016 Request for Contested Case filed by Trident
3. Prehearing Statement of Trident
4. Prehearing Statement of Roper Berkeley
5. Prehearing Statement of DHEC
6. July 23, 2018 Pre-Trial Memorandum of Roper Berkeley
7. July 24, 2018 Stipulation of Facts
8. Joint Exhibit #2 (East Cooper CON Record)
9. Joint Exhibit #4 (2015 South Carolina Health Plan)
10. Petitioner's Exhibit #3 (2010 E-mails between East Cooper and prior DHEC staff)
11. Petitioner's Exhibit #5 (April 2016 E-mails between DHEC and Roper St. Francis)
12. December 3, 2018 Final Order and Decision
13. December 13, 2018 Motion to Alter or Amend the Judgment filed by Roper Berkeley
14. January 5, 2019 Trident's Response to Roper Berkeley's Motion to Alter or Amend the Judgment
15. January 14, 2019 Roper Berkeley's Reply to Trident's Response to Motion to Alter or Amend the Judgment
16. January 18, 2019 Trident's "Sur-Reply" in Opposition to Motion to Alter or Amend the Judgment
17. February 21, 2019 Amended Final Order and Decision
18. Transcript of Proceedings held July 24-25, 2018

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

Respectfully submitted,



James G. Long, III, SC Bar No. 64103
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Roper St. Francis Hospital – Berkeley*

September 3, 2019
Columbia, South Carolina

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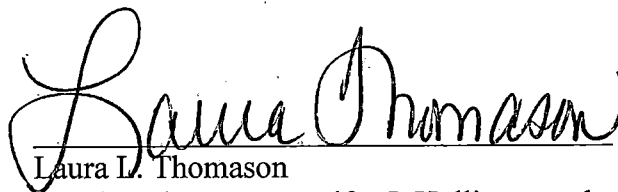
The undersigned hereby certifies that on September 3, 2019, she caused a copy of the *Appellant's Initial Brief and Designation of Matter to be Included in Record on Appeal* to be served on all parties of record by hand delivering a copy of the same, addressed as follows:

William R. Thomas, Esquire
Parker Poe, LLC
1221 Main Street, Suite 1100
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*Attorneys for Respondent, Trident Medical Center, LLC, d/b/a Trident
Medical Center*

Ashley C. Biggers, Esquire
South Carolina Department of Health
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2600 Bull Street
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*Attorneys for Respondent SC Department of Health & Environmental
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Berkeley, Inc., d/b/a Roper St. Francis Hospital –
Berkeley*

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SC Court of Appeals

Laura L. Thomason
Legal Practice Assistant

September 3, 2019

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court, Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

Re: *Trident Medical Center, LLC, d/b/a Trident Medical Center
vs. South Carolina Department of Health and Environmental
Control, and Roper St. Francis Hospital – Berkeley, Inc.,
d/b/a Roper St. Francis Hospital – Berkeley
Appellate Case No.: 2019-000358*

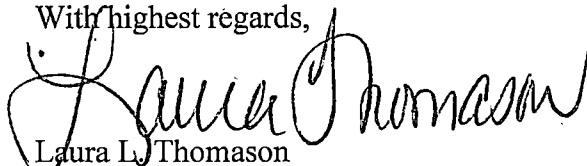
Dear Ms. Kitchings:

Enclosed please find an original and two (2) copies of *Appellant's Initial Brief and Designation of Matter to Be Included in Record* on Appeal to be clocked and filed. I have also enclosed the *Proof of Service* for filing. Please file the originals and return the file-stamped copies to me via our courier.

By copy of this letter, I am hereby serving a copy of the same on all counsel of record.

Please do not hesitate to contact me should you have any questions.

With highest regards,



Laura L. Thomason
Legal Assistant to Jennifer J. Hollingsworth

Enclosures

cc: William R. Thomas, Esquire (*Via Hand-Delivery*)
Ashley C. Biggers, Esquire (*Via Hand-Delivery*)

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