

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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OCT 10 2019

S.C. SUPREME COURT

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

Appellate Case No. 2019-000074

South Carolina Coastal Conservation League Appellant,

v.

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

**CONSENT MOTION OF RESPONDENT KDP II, LLC, TO CORRECT CAPTION TO
REPLACE KIAWAH DEVELOPMENT PARTNERS II
WITH KRA DEVELOPMENT, LP**

Respondent KDP II, LLC, with the consent of all parties, hereby moves this Court to amend
the caption of this appeal. The grounds for this Motion are that:

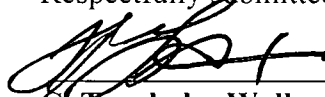
- KDP II, LLC, was a respondent in the ALC case below and is properly named in the caption of this appeal;
- Kiawah Development Partners, II has been erroneously named in the appeal caption. Kiawah Development Partners, II was not a party to the proceeding below and should not be a respondent in this appeal;
- KRA Development, LP, is the recipient of one or more of the permits under appeal and was a party in the proceeding below but is not named in the caption;
- Kiawah Development Partners II was inadvertently named as a party in the caption instead of KRA Development, LP in some of the filings with this Court including the Notice of Appeal;

- KRA Development, LP, does not currently appear in the caption of this appeal and should be substituted for Kiawah Development Partners II, and,
- The correct caption appears on the appellant's Initial Brief.

WHEREFORE, Respondent KDP II, LLC, with the consent of all parties, asks this Court to correct the caption of this appeal accordingly to remove Kiawah Development Partners, II as a named respondent and correct the caption to replace it with KRA Development, LP. as a named respondent in its place.

Counsel of record have been consulted regarding this Motion and have no objections to the Court granting the requested relief.

Respectfully submitted,



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**ATTORNEYS FOR RESPONDENTS KDP II, LLC
and KRA DEVELOPMENT, LP**

October 8, 2019
Charleston, South Carolina

WE CONSENT:

Amy E. Armstrong / *10-8-19*
Amy E. Armstrong, Esq. *w/permission* Date
Jessie Allison White, Esq.
S.C. Environmental Law Project
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Pawleys Island, SC 29585

Bradley D. Churdar / *10-8-19*
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THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM THE ADMINISTRATIVE LAW COURT **S.C. SUPREME COURT**
Ralph King Anderson, III, Administrative Judge

Appellate Case No. 2019-000841

South Carolina Coastal Conservation League Appellant,

v.

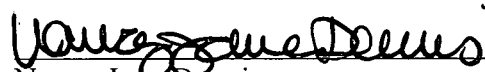
South Carolina Department of Health an Environmental Control,
KDP II, LLC, and Kiawah Development Partners, II Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on this 8th day of October, 2019, a copy of the **CONSENT MOTION OF RESPONDENT KDP II, LLC, TO CORRECT CAPTION TO REPLACE KIAWAH DEVELOPMENT PARTNERS II WITH KRA DEVELOPMENT, LP** was served on counsel of record, by placing same in the United States Mail, first class postage prepaid to the following:

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