

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 H.W. Funderburk, Jr., Administrative Law Judge

Appellate Case No. 2019-000358
Docket No. 2016-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.

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

Respondent South Carolina Department of Health and Environmental Control (“DHEC”)

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

1. July 24, 2018 Stipulation of the Parties
2. Transcript of Contested Case Hearing held July 24-25, 2018
3. Joint Exhibit #1 (DHEC Record for Roper Berkeley CON Application)
4. Joint Exhibit #4 (2015 South Carolina Health Plan)
5. Respondent’s Exhibit #2 (April 14, 2016 Email)
6. December 3, 2017 Final Order and Decision
7. February 21, 2018 Amended Final Order and Decision

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

Respectfully submitted,



Ashley C. Biggers, Esq.

Vito M. Wicevic, Esq.

South Carolina Department of Health and

Environmental Control

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*Attorneys for Respondent South Carolina
Department of Health and Environmental
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November 4, 2019

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Hospital – Berkeley is the Appellant.

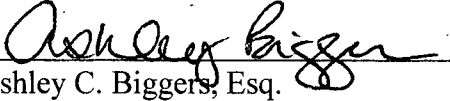
PROOF OF SERVICE

I hereby certify that on November 4, 2019, I served *Respondent's Initial Brief and Designation of Matter to be Included in Record on Appeal* on all parties of record via U.S. Mail, with proper postage affixed and addressed as follows:

James G. Long III
jlong@nexsenpruet.com
Jennifer J. Hollingsworth
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Nexsen Pruet, LLC
Post Office Drawer 2426
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Attorneys for Appellant
Roper St. Francis Hospital – Berkeley Inc.,
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*Attorneys for South Carolina Department of
Health and Environmental Control*

November 4, 2019



Healthy People. Healthy Communities.

November 4, 2019

VIA U.S. MAIL

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

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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 the original and one copy of *Respondent's Initial Brief and Designation of Matter to be included in Record on Appeal*, together with the original and one copy of the *Proof of Service*. Please file the originals and return the filed-stamped copies to us via the enclosed self-addressed, stamped envelope.

By copy of this letter and as evidenced in the enclosed Proof of Service, I am hereby serving a copy of the same on all counsel of record. Please contact the undersigned if your office has any questions relating to this filing.

With kindest regards, I am

Sincerely,

Ashley C. Biggers

Enclosures

cc: James G. Long, III, Esquire
Jennifer J. Hollingsworth, Esquire
William R. Thomas, Esquire
Walter H. Cartin, Esquire



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Columbia, SC 29201

Return Service Requested



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Clerk of Court, SC Court of Appeals
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