



November 12, 2019

**VIA HAND DELIVERY**

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

**RECEIVED**  
NOV 12 2019  
SC Court of Appeals

Re: Trident Medical Center, LLC, d/b/a Trident Medical Center vs. South Carolina Department of Health and Environmental Control and Medical University Hospital Authority, d/b/a MUSC Radiation Therapy Center - Berkeley  
Appellate Case No.: 2019-001159

Dear Ms. Kitchings:

Pursuant to Rules 208 and 240 of the South Carolina Appellate Court Rules, Respondent South Carolina Department of Health and Environmental Control ("SCDHEC") respectfully requests a thirty (30) day extension of time to file its Initial Brief and Designation of Matter.

This is the first request for extension filed on behalf SCDHEC in this appeal. Undersigned counsel has communicated with counsel of record for the other parties to this action and they consent to this extension request. (See attached emails RE: Consent).

The current due date for Respondents Initial Brief and Designation of Matter is November 13, 2019. With the thirty-day extension, SCDHEC's Initial Brief and Designation of Matter would be due on or before December 13, 2019.

By copy of this letter, I am hereby copying all counsel of record with this correspondence. Thank you in advance for your kind consideration of this request. Should you or your office have any questions please do not hesitate to contact the undersigned.

Very truly yours,

A handwritten signature in black ink that reads "Ashley C. Biggers". The signature is written in a cursive, flowing style.

Ashley C. Biggers

cc: Daniel J. Westbrook (via Email & U.S. Mail)  
Travis Dayhuff (via Email & U.S. Mail)  
A. Mattison Bogan (via Email & U.S. Mail)  
William C. Wood, Jr (via Email & U.S. Mail)  
David B. Summer (via Email & U.S. Mail)  
William R. Thomas (via Email & U.S. Mail)

**Re: App.Case No. 2019-001159 (MUSC Radiation Therapy Center - Berkeley County)**

Matt Bogan &lt;Matt.Bogan@nelsonmullins.com&gt;

Tue 11/12/2019 11:31 AM

To: Biggers, Ashley &lt;biggerac@dhec.sc.gov&gt;

Cc: Bill Wood &lt;bill.wood@nelsonmullins.com&gt;; dan.westbrook@nelsonmullins.com &lt;dan.westbrook@nelsonmullins.com&gt;; Travis Dayhuff &lt;travis.dayhuff@nelsonmullins.com&gt;; willthomas@parkerpoe.com &lt;willthomas@parkerpoe.com&gt;; David Summer &lt;davidsummer@parkerpoe.com&gt;; DeCarlis, Rita &lt;decarlrd@dhec.sc.gov&gt;; Wicevic, Vito &lt;wicevivm@dhec.sc.gov&gt;

\*\*\* Caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*

Yes for MUSC.

Sent from my iPhone

On Nov 12, 2019, at 11:30 AM, Biggers, Ashley &lt;biggerac@dhec.sc.gov&gt; wrote:

◀External Email▶ - From: biggerac@dhec.sc.gov

I plan to file a request today with the Court of Appeals for a first 30-day extension of DHEC's deadline to file its Initial Respondent's Brief and DOM in the above-referenced case, until December 13, 2019.

Would MUSC and Trident be willing to consent to DHEC's request?

Thank you,  
Ashley

**Ashley C. Biggers**

Chief Counsel for Health Regulation

**S.C. Dept. of Health & Environmental Control**

Office: (803) 898-3362

Mobile: (803) 354-2928

Connect: [www.scdhec.gov](http://www.scdhec.gov) [Facebook](#) [Twitter](#)

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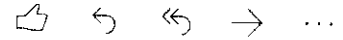
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Re: App.Case No. 2019-001159 (MUSC Radiation Therapy Center - Berkeley County)

Thomas, William R.

Tue 11/12/2019 11:46 AM



Biggers, Ashley; Matt Bogan <Matt.Bogan@nelsonmullins.com>; bill.wood@nelsonmullins.com; dan.v

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We consent.

Sent from my iPhone

On Nov 12, 2019, at 11:29 AM, Biggers, Ashley <biggerac@dhec.sc.gov> wrote:

\*\*\*Caution: External email\*\*\*

I plan to file a request today with the Court of Appeals for a first 30-day extension of DHEC's deadline to file its Initial Respondent's Brief and DOM in the above-referenced case, until December 13, 2019.

Would MUSC and Trident be willing to consent to DHEC's request?

Thank you,  
Ashley

**Ashley C. Biggers**  
Chief Counsel for Health Regulation  
**S.C. Dept. of Health & Environmental Control**  
Office: (803) 898-3362  
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