

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Hon. Doyet A. Early, Circuit Court Judge

C.A. No.: 2018-CP-40-02425
Appellate Case No.: 2019-000648

Jefferson Davis, Jr. Appellant,

v.

Ellen Weaver, Chad Connelly, Oran P. Smith, Neil J. Mellen, Howard S. Rich, Rick Reames, Stephen D. Kirkland, Palmetto Promise Institute, Palmetto Family Council, Palmetto Family Action, South Carolinians for Responsible Government, SCRG Foundation, Access Opportunity South Carolina, Friedman Foundation for Education Choice, Inc., Cato Institute, South Carolina Educational Credit for Exceptional Needs Children Fund, South Carolina Education Oversight Committee, South Carolina Department of Revenue, South Carolina Department of Labor, Licensing and Regulation, First Impressions, Inc., d/b/a Richard Quinn & Associates, First Tuesday Strategies, LLC, Bill Wilson, Jason Bedrick, Jim DeMint, Randy Page, Tony Denny, Phillip Cease, Melanie Barton, Doris Cubitt, Susan Thomas, John McCormick, Nate Leupp, Institute of Management Consultants USA & John Doe(s) 1-40 Respondents.

**RESPONDENT SOUTH CAROLINA
EDUCATION OVERSIGHT COMMITTEE
AND MELANIE BARTON'S DESIGNATION OF MATTER**

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Orders

1. The Honorable DeAndrea Gist Benjamin's Order (Oct. 29, 2019).
2. The Honorable DeAndrea Gist Benjamin's Amended Order (Oct. 30, 2019).
3. The Honorable Doyet A. Early's Order of Dismissal (Feb. 19, 2019).
4. Order Denying Motion to Reconsider (Mar. 27, 2019).

Pleadings

5. Complaint (May 3, 2018)
6. Amended Complaint (Nov. 19, 2019)

Motions, Memoranda, & Other Materials

7. Defendants Weaver's and Palmetto Promise Institute's Motion to Dismiss (June 7, 2018).
8. Defendants Weaver's and Palmetto Promise Institute's Memorandum in Support of Defendants' Motion to Dismiss (Sept. 26, 2018).
9. Plaintiff's Response in Opposition to Motion to Dismiss & Alternative Motion (Sept. 27, 2018).
10. Affidavit of Service – S.C. Education Oversight Committee and Melanie Barton (Dec. 18, 2018).
11. S.C. Dept. of Revenue's and Rick Reames' Motion to Dismiss (Dec. 21, 2018).
12. Stephen Kirkland's Motion to Dismiss (Dec. 21, 2018).
13. Randy Page's Motion to Dismiss (Dec. 21, 2018).
14. Palmetto Family Council's Motion to Dismiss (Dec. 26, 2018).
15. SCRG Foundation's Motion to Dismiss (Dec. 26, 2018).
16. S.C. Education Oversight Committee's and Melanie Barton's Motion to Dismiss (Dec. 28, 2018).
17. First Tuesday Strategies, LLC's Motion to Dismiss (Jan. 7, 2019)
18. Institute of Management Consultants, USA's Motion to Dismiss (Jan. 11, 2019).
19. Phillip Cease's Motion to Dismiss (Jan. 15, 2019)
20. Cato Institute's and Howard S. Rich's Motion to Dismiss (Jan. 15, 2019).
21. South Carolinians for Responsible Government's Motion to Dismiss (Jan. 17, 2019).
22. Doris Cubitt's Motion to Dismiss (Jan. 25, 2019).
23. S.C. Dept. of Labor, Licensing, and Regulation's Motion to Dismiss (Jan. 25, 2019).
24. First Impressions, Inc.'s Motion to Dismiss (Jan. 29, 2019).
25. Friedman Foundation for Education Choice's Motion to Dismiss (Jan. 29, 2019).
26. S.C. Education Oversight Committee's and Melanie Barton's Memorandum in Support of Motion (Feb. 6, 2019).
27. Cato Institute's and Howard S. Rich's Memorandum in Support of Motion (Feb. 6, 2019).
28. Stephen Kirkland's Memorandum in Support of Motion (Feb. 6, 2019).
29. SCRG Foundation's Memorandum in Support of Motion (Feb. 6, 2019).

30. Institute of Management Consultants, USA's Memorandum in Support of Motion (Feb. 8, 2019).
31. South Carolina Education Credit for Exceptional Needs Children Fund's Memorandum in Support of Motion to Dismiss (Feb. 10, 2019).
32. Randy Page's Memorandum in Support of Motion (Feb. 11, 2019).
33. First Tuesday Strategies, LLC's Memorandum in Support of Motion (Feb. 11, 2019).
34. Tony Denny's Motion to Dismiss (Feb. 15, 2019).
35. Plaintiff's Motion for Reconsideration (Mar. 6, 2019).

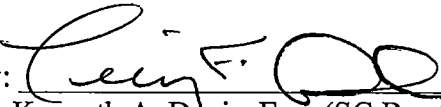
Transcripts

36. Transcript of Hearing on Defendants Weaver's and Palmetto Promise Institute's Motions to Dismiss (Oct. 1, 2018).
37. Transcript of Hearing on Motions to Dismiss (Feb. 19, 2019).

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

Respectfully Submitted,

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November 8, 2019
Columbia, South Carolina

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PROOF OF SERVICE

The undersigned of Boykin & Davis, LLC, hereby certifies that he has served the following counsel of record with the foregoing **DESIGNATION OF MATTER**, by mailing a copy of same, postage prepaid and return address clearly indicated, to the following on this 8th day of November 2019.

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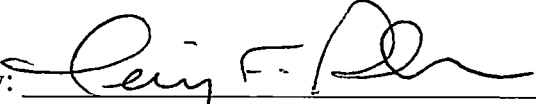
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VIA HAND-DELIVERY

The Honorable Jenny Kitchings
Clerk of Court
1220 Senate Street
Columbia, South Carolina 29211

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Re: Jefferson Davis, Jr. v. Education Oversight Committee, et al.
C.A. No.: 2018-CP-40-02425
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Dear Ms. Kitchings,

Enclosed herewith please find the original and one copy of Respondents South Carolina Education Oversight Committee and Melanie Barton's Initial Brief and Designation of Matter regarding the above-referenced matter. Please return a time-stamped copy to our courier of each.

Thank you for your assistance in this matter.

Sincerely,



Tierney F. Dukes

/sdc

Enclosures

cc: Jefferson Davis, Jr. *Pro Se* (w/ encl)
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