

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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DEC 06 2019

SC Court of Appeals

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

Appellate Case No. 2019-001159  
Docket No. 18-ALJ-07-0100-CC

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

v.

South Carolina Department of Health and Environmental Control and  
Medical University Hospital Authority d/b/a MUSC Radiation Therapy  
Center – Berkeley County, .....

Respondents,

Of Which, Medical University Hospital Authority d/b/a MUSC  
Radiation Therapy Center – Berkeley County is the.....

Appellant.

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**RESPONDENT SOUTH CAROLINA DEPARTMENT OF HEALTH AND  
ENVIRONMENTAL CONTROL’S MOTION FOR SECOND EXTENSION OF TIME  
TO FILE AND SERVE RESPONDENT’S INITIAL BRIEF AND DESIGNATION OF  
MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**


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Pursuant to Rules 240 and 263(b), SCACR, Respondent South Carolina Department of Health and Environmental Control (Department) respectfully requests a thirty-day extension of time to file and serve its Initial Brief and Designation of Matter to be Included in Record on Appeal. The Department requests this extension due to the undersigned counsel’s current workload, which includes involvement in multiple pending litigation matters. The Department consulted with counsel for the Appellant and Respondent, and they have consented to the Department’s request for a second extension of time.

The Department's Initial Brief and Designation of Matter are currently due Friday, December 13, 2019. If the Department's motion is granted, its Initial Brief and Designation of Matter will be due Monday, January 13, 2020<sup>1</sup>.

Wherefore, the Department respectfully request the Court grant this motion and extend the deadline for the Department to serve and file its Initial Brief and Designation of Matter to be Included in the Record on Appeal by thirty days, until January 13, 2020.

Respectfully submitted,

  
Ashley C. Biggers, Esq.  
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*Attorneys for South Carolina Department of  
Health and Environmental Control*

December 6, 2019

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<sup>1</sup> The deadline for Respondent Trident Medical Center, LLC, d/b/a Trident Medical Center to file and serve its Initial Brief and Designation of Matter is January 13, 2020, based on the recent order granting its second request for an extension of time. The granting of the Department's motion would keep the parties on the same briefing schedule.

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Respondents,

Of Which, Medical University Hospital Authority d/b/a MUSC  
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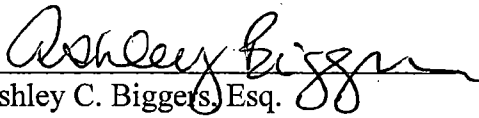
Appellant.

**PROOF OF SERVICE**

I hereby certify that on December 6, 2019, I served *Respondent South Carolina Department of Health and Environmental Control's Motion for Second Extension of Time to File and Serve 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:

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*Attorneys for South Carolina Department of  
Health and Environmental Control*

December 6, 2019



Healthy People. Healthy Communities.

December 6, 2019

**VIA HAND DELIVERY**

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

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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:

Enclosed please find for filing the original and six copies of *Respondent South Carolina Department of Health and Environmental Control's Motion for Second Extension of Time to File and Serve Respondent's Initial Brief and Designation of Matter to be included in Record on Appeal.*

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.

With kindest regards, I am

Sincerely,

  
Ashley C. Biggers

Enclosures

cc: Daniel J. Westbrook  
Travis Dayhuff  
A. Mattison Bogan  
William C. Wood, Jr  
William R. Thomas  
David B. Summer