

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
JAN 13 2020
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.

**RESPONDENT SOUTH CAROLINA DEPARTMENT OF
HEALTH AND ENVIRONMENTAL CONTROL'S
DESIGNATION OF MATTER TO BE INCLUDED IN THE
RECORD ON APPEAL**

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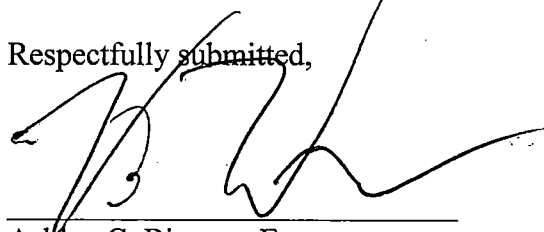
Respondent South Carolina Department of Health and Environmental Control ("DHEC")

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

1. Order Granting Petitioner's Motion for Judgment as a Matter of Law and Denying Certificate of Need on Other Grounds, dated May 14, 2019
2. DHEC Trial Ex.1, MUHA's CON Application

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

Respectfully submitted,



Ashley C. Biggers, Esq.

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January 13, 2020

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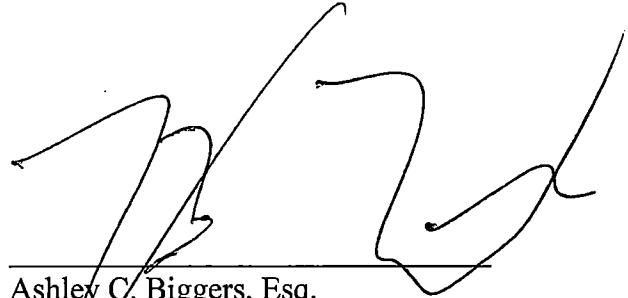
Appellant.

PROOF OF SERVICE

I hereby certify that on January 13, 2020, I served *Respondent South Carolina Department of Health and Environmental Control's 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*

January 13, 2020



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VIA HAND DELIVERY

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

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 two copies of ***Respondent South Carolina Department of Health and Environmental Control's Designation of Matter to be Included in Record on Appeal***. It would be appreciated if your office would file the original and copies in accordance with the Court's procedures and return one filed copy to me.

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. Should you have any questions please do not hesitate to contact the undersigned.

With kindest regards, I am

Sincerely,



Vito M. Wicevic

Enclosures

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