

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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Dec 14 2020

SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Jocelyn Newman, Circuit Court Judge

Appellate Case No. 2019-002076
Case No. 2018-CP-40-5641

Ronald I. Paul,.....

Appellant,

v.

South Carolina Department of Transportation; Paul D. de Holczer, individually and as a partner of the law firm of Moses, Koon & Brackett, PC; Michael H. Quinn, individually and as senior lawyer of Quinn Law Firm, LLC; J. Charles Ormond, Jr., individually and as a partner of the Law Firm of Holler, Dennis, Corbett, Ormond, Plante & Garner; Oscar K. Rucker, in his individual capacity as Director, Rights of Way South Carolina Department of Transportation; Macie M. Gresham, in her individual capacity as Eastern Region Right of Way Program Manager South Carolina Department of Transportation; Natalie J. Moore, in her individual capacity as Assistant Chief Counsel, South Carolina Department of Transportation, Respondents.

**RESPONDENTS' DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

The Respondents propose that the following be included in the Record on Appeal:

- (1) Order issued by Judge L. Casey Manning filed June 7, 2019
- (2) Order Denying Motion to Reconsider issued by Judge L. Casey Manning filed June 28, 2019
- (3) Order Granting Motions to Dismiss issued by Judge Jocelyn Newman filed November 13, 2019
- (4) Order Denying Motion to Reconsider issued by Judge Jocelyn Newman filed November 26, 2019
- (5) Complaint filed October 26, 2018
- (6) Motion to Dismiss and/or Motion for Summary Judgment filed by Defendants SCDOT, DeHolczer and Moore, filed November 26, 2018
- (7) Motion to Dismiss filed by Quinn Defendants, filed November 20, 2018
- (8) Motion to Dismiss filed by Defendant Ormond, filed November 27, 2018
- (9) Memorandum in Support of Motion to Dismiss and/or Motion for Summary Judgment filed by Defendants SCDOT, DeHolczer and Moore, filed February 6, 2019
- (10) Defendants Michael Quinn and Quinn Law Firm's Memorandum in Support of Motion to Dismiss, filed January 31, 2019, including Timeline of Relevant Dates and all attached Exhibits
- (11) Defendants Michael Quinn and Quinn Law Firm's First Amended to Memorandum in Support of Motion to Dismiss, filed February 5, 2019
- (12) Plaintiff's Motion for Reconsideration, filed November 25, 2019
- (13) Transcript of Hearing, August 18, 2019, pp. 1-54

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

Respectfully submitted,

LINDEMANN & DAVIS P.A.

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South Carolina Department of Transportation; Paul D. de Holczer, individually and as a partner of the law firm of Moses, Koon & Brackett, PC; Michael H. Quinn, individually and as senior lawyer of Quinn Law Firm, LLC; J. Charles Ormond, Jr., individually and as a partner of the Law Firm of Holler, Dennis, Corbett, Ormond, Plante & Garner; Oscar K. Rucker, in his individual capacity as Director, Rights of Way South Carolina Department of Transportation; Macie M. Gresham, in her individual capacity as Eastern Region Right of Way Program Manager South Carolina Department of Transportation; Natalie J. Moore, in her individual capacity as Assistant Chief Counsel, South Carolina Department of Transportation, Respondents.

CERTIFICATE OF SERVICE

Pursuant to Section (c)(6) of the Supreme Court’s Amended Order Re: Operation of the Appellate Courts During the Coronavirus Emergency (As Amended May 29, 2020), the undersigned employee of Lindemann & Davis, P.A.,

counsel for the Respondents South Carolina Department of Transportation; Paul D. de Holczer, Oscar K. Rucker, Macie M. Gresham, and Natalie J. Moore, does hereby certify that service of the **Initial Brief of Respondents and Respondents' Designation of Matter to be Included in the Record on Appeal** was made upon the *pro se* Appellant by U.S. Mail and email only and upon all other counsel of record by email only this the 14th day of December 2020:

Via Email and U.S. Mail

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Via Email Only

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December 14, 2020

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SC Court of Appeals

RE: Ronald I. Paul v. South Carolina Department of Transportations; *et al*
Court of Appeals Case Number: 2019-002076 (Appeal 2)
Civil Action Number: 2018-CP-40-5641
Our File Number: 79.20087

Dear Ms. Kitchings:

Pursuant to Section (c)(6) of the Supreme Court’s Amended Order Re: Operation of the Appellate Courts During the Coronavirus Emergency (As Amended May 29, 2020), please find enclosed for filing by email only the **Initial Brief of Respondents** and **Respondents’ Designation of Matter to be Included in the Record on Appeal** in the above referenced matter. By copy of this letter, I am serving copies on the *pro se* Appellant by U.S. Mail and email, and on all other counsel of record by email only.

Thank you for your assistance in this matter. If you have any questions, please advise.

Sincerely,

LINDEMANN & DAVIS, P.A.

Andrew F. Lindemann

AFL/jmb
Enclosures

The Honorable Jenny Abbott Kitchings
December 14, 2020
Page Two

cc: (w/ Enclosures)

Via Email and U.S. Mail

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The Honorable Jenny Abbott Kitchings
December 14, 2020
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