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**Jan 08 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

Appellate Case No. 2020-001610  
Case No. 20-ALJ-07-0107-CC

Lexington County Health Services District, Inc., d/b/a  
Lexington Medical Center, ..... Petitioner/Respondent,

v.

South Carolina Department of Health and Environmental  
Control, Prisma Health-Midlands, Providence Hospital, LLC  
d/b/a Providence Health, Providence Health Northeast,  
Providence Health Fairfield, and Kershaw Hospital, LLC d/b/a  
Kershaw Health Medical Center, ..... Respondents,

OF WHICH Prisma Health-Midlands is the ..... Appellant/Respondent,

AND  
Providence Hospital, LLC d/b/a Providence Health, Providence Health  
Northeast, Providence Health Fairfield, and Kershaw Hospital, LLC  
d/b/a Kershaw Health Medical Center are ..... Respondent/Appellants.

**APPELLANT/RESPONDENT'S DESIGNATION OF MATTER  
TO BE INCLUDED IN RECORD ON APPEAL**

Appellant/Respondent proposes the following matters be included in the Record on Appeal:

Order for Prehearing Statements, dated June 22, 2020

Order Denying Cross-Motions for Summary Judgment, dated November 2, 2020

Order on Motion to Clarify and Motions to Reconsider, dated December 7, 2020

Prisma-Health Midland's Prehearing Statement, dated July 13, 2020  
Exhibit 1, February 28, 2020 Decision  
Exhibit 2, May 1997 COPA  
Exhibit 4, 1997 Decision  
Exhibit 5, November 18, 2003 Letter from Joel Grice

Petitioner's Prehearing Statement, dated July 13, 2020  
Exhibit A, Application for Certificate of Public Advantage

South Carolina Department of Health and Environmental Control's Prehearing Statement,  
dated July 13, 2020

Prisma-Health Midland's Amended Prehearing Statement, dated July 14, 2020

Prisma Health-Midland's Motion for Summary Judgment and  
Memorandum in Support, dated August 28, 2020  
Exhibit 6, December 17 Letter from Joel C. Grice  
Exhibit 8, October 11, 2017 Memo  
Exhibit 9, Affidavit of Malcolm Isley, dated July 6, 2020  
Exhibit 11, Letter dated February 20, 2020 from W. Marshall Taylor  
Exhibit 12, Letter dated February 25, 2020 from Robert Cook

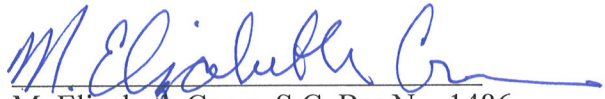
Petitioner's Response in Opposition to Motion for Summary Judgment  
and Notice of Motion and Cross-Motion for Summary Judgment,  
dated September 14, 2020

South Carolina Department of Health and Environmental Control's Response  
in Support of Prisma Health-Midlands' Motion for Summary  
Judgment, dated September 15, 2020

Prisma Health-Midlands' Motions to Clarify and to Reconsider with exhibits,  
dated November 12, 2020

Lifepoint Respondents Motion to Alter or Amend (Reconsider) Order  
Denying Cross-Motions for Summary Judgment, dated  
November 12, 2020

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



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January 8, 2021

Columbia, South Carolina

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OF WHICH Prisma Health-Midlands is the ..... Appellant/Respondent,

AND

Providence Hospital, LLC d/b/a Providence Health, Providence Health  
Northeast, Providence Health Fairfield, and Kershaw Hospital, LLC  
d/b/a Kershaw Health Medical Center are ..... Respondents/Appellants.

CERTIFICATE OF SERVICE

I, Donna O’Daniel, an employee of Burr & Forman LLP, hereby certifies that a true and correct copy of the Appellant/Respondent Prisma Health-Midland’s Designation of Matter to be Included in Record on Appeal was served upon counsel for the Respondents in the above-captioned matter, via email at the email addresses listed below, and by causing a copy of same to be deposited in the United States Mail, first class postage prepaid, this the 8th day of January, 2021, addressed as follows:

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\_\_\_\_\_  
Donna O'Daniel

Dated: January 8, 2021  
Columbia, SC