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Feb 18 2021

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable Ralph King Anderson III, Administrative Law Court Judge

APPELLATE CASE NO.: 2020-001610
ADMINISTRATIVE LAW COURT CASE NO.: 20-ALJ-07-0108-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 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 the Respondents-Appellants.

**PETITIONER/RESPONDENT LEXINGTON COUNTY HEALTH SERVICES
DISTRICT, INC., D/B/A LEXINGTON MEDICAL CENTER'S DESIGNATION OF
MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

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Attorneys for Petitioner/Respondent

Pursuant to Rule 209 of the South Carolina Appellate Court Rules, Petitioner/Respondent Lexington County Health Services District, Inc., d/b/a Lexington Medical Center (“LMC”) designates the following material for inclusion in the Record on Appeal:

1. Order Denying Motion to Expedite, filed June 19, 2020
2. Order Denying Cross-Motions for Summary Judgment, filed November 2, 2020
3. Order on Motion to Clarify and Motions to Reconsider, filed December 7, 2020
4. Petition for Administrative Review and Request for Contested Case Hearing with exhibits, filed May 14, 2020
5. Agency Information Sheet and Notice of Appearance, filed June 1, 2020
6. Prisma Health Midlands’(PHM) Prehearing Statement, dated July 13, 2020, including
 - Exhibit 1, February 28, 2020 Decision
 - Exhibit 2, October 6, 1997 COPA
 - Exhibit 4, May 1997 Decision
 - Exhibit 5, November 18, 2003 Letter from Joel Grice
7. LMC’s Prehearing Statement, with exhibits, dated July 13, 2020
8. South Carolina Department of Health and Environmental Control’s (DHEC) Prehearing Statement, dated July 13, 2020
9. Transcript of Motions Hearing, dated October 20, 2020
10. PHM’s Motion to Expedite, filed June 19, 2020
11. LMC’s Response in Opposition to Motion to Expedite, filed June 29, 2020
12. PHM’s Motion for Summary Judgment and Memorandum in Support, dated August 28, 2020, including
 - Exhibit 2, April 29, 1997 Letter from Michael J. Biediger
 - Exhibit 6, December 17, 2002 Letter from Joel Grice
 - Exhibit 8, October 11, 2017 Memorandum
 - Exhibit 9, Affidavit of Malcom Isley, dated July 6, 2020 (with attachments)
 - Exhibit 11, Letter dated February 20, 2020 from W. Marshall Taylor, Jr., Esq.
 - Exhibit 12, Letter dated February 25, 2020 from Robert Cook, Esq.
13. LMC’s Response in Opposition to Motion for Summary Judgment and Notice of Motion and Cross-Motion for Summary Judgment, with exhibits, dated September 14, 2020

14. DHEC's Response in Support of PHM's Motion for Summary Judgment, dated September 15, 2020
15. PHM's Reply to LMC's Opposition to Motion for Summary Judgment and Response in Opposition to Cross-Motion for Summary Judgment, dated September 28, 2020
16. DHEC's Response in Opposition to LMC's Cross Motion for Summary Judgment, dated September 29, 2020
17. LMC's Reply to PHM in Further Support of Cross-Motion for Summary Judgment, dated October 5, 2020
18. PHM's Motions to Clarify and Reconsider with exhibits, dated November 12, 2020
19. 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's (LifePoint) Motion to Alter or Amend (Reconsider) Order Denying Cross-Motions for Summary Judgment, dated November 12, 2020
20. LMC's Response to Motion to Clarify and Motions to Reconsider (Alter or Amend), dated November 23, 2020

The undersigned hereby certifies pursuant to Rule 209(c), SCACR, that the Petitioner/Respondent's Designation of Matter to be included in the Record on Appeal contains no matter irrelevant to the appeal.

Respectfully submitted,

s/ Jennifer J. Hollingsworth

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OF WHICH

Prisma Health-Midlands 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 the Appellant are the Appellants/Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on February 18, 2021, she caused a copy of the
foregoing *Petitioner/Respondent Lexington Medical Center's Designation of Matter to be
Included in the Record on Appeal* to be served upon all parties of record by email addressed as
follows:

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