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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BARNWELL COUNTY
In the Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge
Clifton B. Newman, Circuit Court Judge

Lower Court Case No. 2013-CP-06-00059
Appellate Case No. 2019-000599

Lorena Robinson, Elaine Nix, Archie Patterson,
and Tami Bollerman, Plaintiffs,

Of Whom Archie Patterson and Tami Bollerman are the Respondents,

v.

South Carolina Department of Employment and
Workforce Appellant.

**APPELLANT’S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

Appellant South Carolina Department of Employment and Workforce designates the following matter to be included in the Record on Appeal. Unless otherwise specified, each designation is intended to include all attachments and exhibits to the designated item.

1. Court of Appeals’ Order Partially Remanding for Circuit Court to Consider Rule 59(e) Motion filed July 12, 2019
2. Circuit Court’s July 22, 2020 Order Denying Rule 59(e) Motion to Reconsider
3. Circuit Court’s March 21, 2019 Order, as well as Notice to Class Members, Granting Respondents’ Rule 59(e) Motion to Reconsider Regarding Claims-Made Process and Class Definition
4. Circuit Court’s March 11, 2019 Order Denying Parties’ Rule 59(e) Motions to Alter or Amend and taking Issues of Class Notice, Definition, and Process under Advisement

5. Circuit Court's February 15, 2019 Order, as well as Class Notice, Granting Judgment in Favor of Plaintiffs
6. Circuit Court's October 1, 2018 Consent Order and Notice of Hearing
7. Circuit Court's October 27, 2017 Order Denying Rule 59(e) Motions to Reconsider April 12, 2017 Order and April 29, 2016 Order
8. Circuit Court's April 27, 2017 Order Denying Rule 59(e) Motion to Reconsider April 29, 2016 Order and Finding Respondents Have Standing
9. Circuit Court's May 5, 2016 Order Certifying a Class
10. Circuit Court's January 21, 2016 Consent Order Dismissing Plaintiff Wooten
11. Circuit Court's June 3, 2014 Form 4 Order Denying Appellant's Motion for Summary Judgment
12. Circuit Court's October 23, 2013 Order Denying Motion to Change Venue and Granting Motion for Complex Case Designation
13. Appellant's Proposed Order dated March 11, 2019 and Attachments
14. Appellant's Amended Proposed Order dated November 19, 2018
15. Appellant's Proposed Order dated February 14, 2017
16. Transcript of June 2, 2020 Hearing in Circuit Court
17. Transcript of February 5, 2019 Hearing in Circuit Court
18. Transcript of February 27, 2019 Hearing in Circuit Court
19. Transcript of October 31, 2018 Hearing in Circuit Court
20. Transcript of September 24, 2018 Hearing in Circuit Court
21. Transcript of January 11, 2017 Hearing in Circuit Court
22. Transcript of November 2, 2016 Hearing in Circuit Court
23. Transcript of June 8, 2016 Hearing in Circuit Court
24. Transcript of January 11, 2016 Hearing in Circuit Court
25. Appellant's Memorandum in Support of Rule 59(e) Motion to Alter or Amend Judgment filed May 29, 2020
26. Notice of Appeal filed April 12, 2019
27. Appellant's Amended Motion to Alter or Amend Judgment of the Court Granting Respondents' Rule 59(e) Motion filed March 28, 2019
28. Appellant's Motion to Alter or Amend Judgment of the Court Granting Respondents' Rule 59(e) Motion filed March 28, 2019
29. Appellant's Response in Opposition to Respondents' Motion to Alter or Amend Judgment filed February 26, 2019
30. Appellant's Supplemental Motion to Alter or Amend Judgment dated February 25, 2019
31. Appellant's Motion to Alter or Amend Judgment dated February 21, 2019
32. Respondents' Rule 59(e) Motion to Alter or Amend Judgment dated February 20, 2019
33. Appellant's Memorandum Addressing Collateral Issues filed February 4, 2019
34. Appellant's Memorandum in Opposition to Respondents' Motion to Approve Class Notice filed October 25, 2018
35. Respondents' Motion to Approve Class Notice dated October 12, 2018
36. Remittitur dated June 29, 2018 from Court of Appeals Enclosing Supreme Court of South Carolina's Order Denying Petition for Writ of Certiorari, Court of Appeals'

- Order Denying Petition for Rehearing, and Court of Appeals' Order Dismissing the Appeal as Not Immediately Appealable
37. Notice of Appeal of April 27, 2017 Order and Amended Notice of Appeal
 38. Appellant's Amended Rule 59(e) Motion to Alter or Amend Judgment filed May 4, 2017
 39. Appellant's Rule 59(e) Motion to Alter or Amend Judgment filed May 3, 2017
 40. Appellant's and Respondents' Exhibits from Evidentiary Hearings on Standing
 41. Appellant's Motion in Limine to Exclude Ruoff and Exhibit 1
 42. Affidavit of John C. Ruoff filed September 15, 2016
 43. Appellant's Consent Motion for Taking Evidence on Standing filed June 20, 2016
 44. Appellant's Rule 59(e) Motion to Alter or Amend Order Certifying a Class filed May 16, 2016
 45. Affidavit of Brad Hutto filed January 8, 2016
 46. Affidavit of Dan Williams filed January 8, 2016
 47. Appellant's Memorandum in Opposition to Class Certification filed January 7, 2016
 48. Appellant's Reply Memorandum in Support of Second Motion for Summary Judgment filed January 7, 2016
 49. Respondents' Memorandum in Support of Class Certification filed January 7, 2016
 50. Respondents' Memorandum in Opposition to Appellant's Second Motion for Summary Judgment filed April 22, 2015
 51. Appellant's Memorandum in Opposition to Respondents' Motion for Summary Judgment filed April 20, 2015
 52. Appellant's Memorandum in Support of Second Motion for Summary Judgment dated April 6, 2015 and Exhibits
 53. Respondents' Memorandum in Support of Motion for Summary Judgment dated April 6, 2015
 54. Appellant's Second Motion for Summary Judgment dated April 6, 2015
 55. Respondents' Motion for Summary Judgment filed April 6, 2015
 56. Amended Answer to Amended Complaint dated February 19, 2015
 57. Answer to Amended Complaint dated February 9, 2015
 58. Amended Summons and Complaint dated February 3, 2015
 59. Appellant's Memorandum in Opposition to Class Certification filed January 7, 2016
 60. Appellant's Reply in Support of Motion for Summary Judgment filed April 24, 2014
 61. Affidavit of Kevin Lowell Cummings dated April 21, 2014
 62. Respondents' Memorandum in Opposition to Motion for Summary Judgment filed April 21, 2014
 63. Appellant's Memorandum in Support of Motion for Summary Judgment filed March 5, 2014
 64. Appellant's Motion for Summary Judgment filed March 5, 2014
 65. Affidavit of Kevin Lowell Cummings dated March 3, 2014 and Exhibits
 66. Affidavit of Tami Bollerman dated July 5, 2013
 67. Affidavit of Archie Patterson dated June 27, 2013
 68. Affidavit of Senator John W. Matthews, Jr. dated May 28, 2013

69. Affidavit of Professor John Freeman dated May 24, 2013
70. Appellant's Amended Answer dated May 20, 2013
71. Respondents' May 3, 2013 Motion for Class Certification
72. Appellant's Answer dated April 19, 2013
73. Respondents' Summons and Complaint filed February 14, 2013

Pursuant to Rule 209(c), SCACR, the undersigned counsel certify that this designation contains no matter that is irrelevant to this appeal.

Respectfully submitted,

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APPEAL FROM BARNWELL COUNTY
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Doyet A. Early, III, Circuit Court Judge
Clifton B. Newman, Circuit Court Judge

Lower Court Case No. 2013-CP-06-0059
Appellate Case No. 2019-000599

Lorena Robinson, Elaine Nix, Archie Patterson,
and Tami Bollerman,Plaintiffs,

Of Whom Archie Patterson and Tami Bollerman are the Respondents,

v.

South Carolina Department of Employment and
WorkforceAppellant.

PROOF OF SERVICE

I certify that I have served Appellant South Carolina Department of Employment and Workforce’s Initial Brief of Appellant and Designation of Matter on the following counsel of record by email on February 8, 2021.

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Columbia, South Carolina
February 8, 2021

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From: Lisle Traywick
Sent: Monday, February 8, 2021 9:12 PM
To: 'Dan Williams'; Brad Hutto; 'Alexander Pattera'; Adam Protheroe; SBerk@scjustice.org
Cc: William H. Davidson II; 'Kenneth P. Woodington'; Bobby Stepp; Rob Tyson; Robin Owens; 'Patterson_Bollerman v_ SCDEW _7652_1500_ Correspondence'
Subject: Patterson v. SCDEW (App. No. 2019-000599) Initial Brief of Appellant and Designation of Matter [IMAN-CLIENTS.FID327398]
Attachments: Patterson v. SCDEW (No. 2019-000599) Initial Brief of Appellant SCDEW(37307448.1).pdf; Patterson v. SCDEW (No. 2019-000599) Appellant SCDEW's Designation of Matter(37307449.1).pdf; Patterson v. SCDEW (No. 2019-000599) Proof of Service for Initial Brief of Appellant and Designation of Matter(37307451.1).pdf

All,

Pursuant to In re Operation of the Appellate Courts During the Coronavirus Emergency, App. No. 2020-000447, Am. Order No. 2020-05-29-02, ¶ (g)(3) (S.C. Sup. Ct. filed May 29, 2020), attached for service upon you via email is Appellant South Carolina Department of Employment and Workforce's Initial Brief of Appellant and Designation of Matter, as well as a Proof of Service, being filed in the Court of Appeals tonight.

Should you have any questions or concerns, please don't hesitate to contact us. Thanks and have a nice evening.

Best,

Lisle



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