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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Shirley C. Robinson, Administrative Law Court Judge

Appellate Case No. 2020-001090

Ex Parte: Coastal Conservation League,.....Appellant,

In Re: KDP, II, LLC,Respondent,

v.

South Carolina Department of Health and Environmental Control,.....Respondent.

**RESPONDENT KDP, II, LLC’S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

In addition to those matters listed by the Appellant in its Designation of Matter, Respondent hereby designates the following matters to also be included in the Record on Appeal:

1. DHEC Motion Dismiss KDP, II, LLC’s Appeal 10/24/2018
2. KDP, II, LLC Return to Motion to Dismiss 11/15/2018
3. DHEC Amended Prehearing Statement 06/30/2020
4. KDP Updated Prehearing Statement 06/30/2020
5. Judge Robinson Notice of Hearing, 07/10/2020
6. CCL Notice of Appeal, 07/29/2020
7. Second Amended Scheduling Order 11/18/2020
8. KDP’s Response to Department’s First Requests for Production, 09/01/2020

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

/s/ Thomas P. Gressette, Jr.

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ATTORNEYS FOR PETITIONER, KDP, II, LLC

April 2, 2020

Charleston, SC

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PROOF OF SERVICE

I, Nancy Jane Dennis, a paralegal with Walker Gressette Freeman & Linton, LLC, hereby certify that I have served this 2nd day of April 2021, **RESPONDENT’S INITIAL BRIEF AND DESIGNATION OF MATTER**, on all counsel of record by electronic mail only to the following:

<p>Amy E. Armstrong, Esq. amy@scelp.org Leslie S. Lenhardt, Esq. leslie@scelp.org SOUTH CAROLINA ENVIRONMENTAL LAW PROJECT P.O. Box 1380 Pawleys Island, SC 29585 <i>Attorneys for Appellant Coastal Conservation League</i></p>	<p>Bradley D. Churdar, Esq. churdabd@dhec.sc.gov Sallie P. Phelan, Esq. phelansp@dhec.sc.gov Office of General Counsel SCDHEC-OCRM 1362 McMillan Avenue, Suite 400 Charleston, SC 29405 <i>Attorneys for Respondent South Carolina Department of Health and Environmental Control</i></p>
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April 2, 2021

U.S. MAIL FEDERAL EXPRESS EMAIL

Hon. Jenny Abbott Kitchings
ctappfilings@sccourts.org
Clerk of Court for S.C. Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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Re: Ex Parte: Coastal Conservation League v. KDP, et al.
Appellate Case No. 2020-001090
WGFL File 2338.042

Dear Ms. Kitchings:

Attached for filing with the Court please find Respondent, KDP, II, LLC's Initial Brief, Designation of Matter, and Proof of Service by electronic mail only.

Thank you very much for your courtesies in this matter

Sincerely,

WALKER GRESSETTE FREEMAN & LINTON, LLC

A handwritten signature in blue ink, appearing to be "T. Gressette".

Thomas P. Gressette, Jr.

c: Amy E. Armstrong, Esq. (Email only)
Leslie S. Lenhardt, Esq. (Email only)
Bradley D. Churdar, Esq. (Email only)
Sallie Page Phelan, Esq. (Email only)