

STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Bentley D. Price, Circuit Court Judge  
Case No. 2019-CP-10-04387  
Appellate Case No. 2021-000051

---

**RECEIVED**

**Apr 14 2021**

**SC Court of Appeals**

Applied Building Sciences, Inc.,

Appellant,

v.

South Carolina Department of Commerce,  
Division of Public Railways,

Respondent,

---

RESPONDENT'S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL

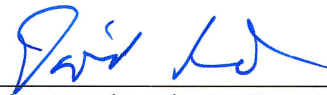
---

Respondent, South Carolina Department of Commerce, Division of Public Railways designates the following matter to be included in the record on an appeal in addition to those designated by Appellant:

**Pleadings and Motions**

1. Complaint (along with Exhibits)
2. Answer and Counterclaims of Defendant South Carolina Department of Commerce, Division of Public Railways (along with Exhibits)
3. Defendant's Motion for Summary Judgment (along with Exhibits)
4. Defendant's Memorandum in Opposition to Plaintiff's Motion for Summary Judgment and In Support of Defendant's Motion for Summary Judgment (along with Exhibits)
5. Amended Condemnation Notice and Tender of Payment, Civil Action No. 2017-CP-10-3029

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



---

Keith M. Babcock, SC Bar No. 456  
David L. Paavola, SC Bar No. 100714  
LEWIS BABCOCK L.L.P.  
Post Office Box 11208  
Columbia, South Carolina 29211  
(803) 771-8000  
Attorneys for South Carolina Department of  
Commerce, Division of Public Railways

April 14, 2021