

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SEP 28 2021

APPEAL FROM ANDERSON COUNTY SC Court of Appeals
CIRCUIT COURT

R. SCOTT SPROUSE, CIRCUIT COURT JUDGE

Appellant Case No. 2021-000285

Moats Construction, Inc.....Appellant,

vs.

City Council of the City of Anderson.....Respondent.

DESIGNATION OF MATTER TO BE INCLUDED ON APPEAL

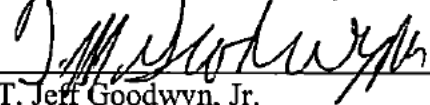
Appellant proposes the following to be included in the consolidated Record on Appeal.

1. Determination of City Council dated March 17, 2020.
2. Form 4 Order dated February 10, 2020.
3. Order dated February 12, 2020.
4. Appellant's Notice of Appeal dated September 29, 2020.
5. Respondents' Acceptance of Service dated October 16, 2020.
6. Respondents' Notice of Appearance dated October 27, 2020.
7. Respondents' Motion to Dismiss Appeal dated January 21, 2021.
8. Appellant's Notice of Appeal dated March 16, 2021.
9. Transcript of hearing on Respondents' Motion to Dismiss Appeal on February 8, 2021.
10. Letter from J. Franklin McClain to Moats Construction Co. dated March 19, 2020.

11. Email between David Beale and Russell Moats dated March 11, 2020.
12. Email between Frankie McClain, Russell Moats and David Beale dated March 18, 2020.
13. Email between Jeff Goodwyn, Russell Moats and David Beale dated March 23, 2020.
14. Any other Pleadings, Motion or Orders by all parties related to this matter.

Pursuant to Rule 209(c), SCACR, I certify that this Designation contains no matter which is irrelevant to the appeal.

GOODWYN LAW FIRM, LLC



T. Jeff Goodwyn, Jr.

2309 Devine Street

Columbia, SC 29205

JGoodwyn@Goodwynlaw.com

(803) 251-4517

(803) 251-4527

Attorney for Appellant

Columbia, South Carolina
September 28, 2021

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PROOF OF SERVICE

I certify that I have served a copy of the **Initial Brief of Appellant** and **Designation of Matter to be Included on Appeal** upon J. Franklin McClain, Esquire, Counsel for the Respondent, at the address below by depositing a copy of same in the United States Mail, postage prepaid, on September 28, 2021.

J. Franklin McClain, Esquire
Attorney for Respondents
401 S. Main Street
Anderson, SC 29624



T. Jeff Goodwyn, Jr.
Goodwyn Law Firm, LLC
2309 Devine Street
Columbia, SC 29205
(803) 251-4517
jgoodwyn@goodwynlaw.com
Attorneys for Appellant

T. Jeff Goodwyn, Jr. *†

GOODWYN LAW FIRM, LLC

Tel. (803) 251-4517
Fax (803) 251-4527

*Also Licensed in Georgia
† Certified Circuit Court Mediator

2309 Devine Street
Columbia, South Carolina 29205

Email: JGoodwyn@Goodwynlaw.com
Web: www.GoodwynLaw.com

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SC Court of Appeals

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RE: *Moats Construction, Inc. v. City Council of the City of Anderson*
Appellant No.: 2021-000285
Our File No.: 3000-0519

Dear Ms. Kitchings:

Please find enclosed for filing the original and one copy of the Initial Brief of Appellant and Designation of Matter to Be Included in the Record on Appeal, along with the Proof of Service, in regard to the above-referenced matter. Please return a clocked-in copy of same in the self-addressed stamped envelope provided.

By copy of this letter and as evidenced by the attached Proof of Service, I am serving a copy of the Initial Brief of Appellant and Designation of Matter on J. Franklin McClain, Esquire attorney for the Respondent.

Thank you for your attention to this matter and should you have any questions, please do not hesitate to contact me.

Sincerely,



T. Jeff Goodwyn, Jr.

TJG/msb
Enclosures

cc: J. Franklin McClain, Esquire