

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

OCT 27 2021

APPEAL FROM ANDERSON COUNTY  
CIRCUIT COURT

**SC Court of Appeals**

R. SCOTT SPROUSE, CIRCUIT COURT JUDGE

Appellant Case No. 2021-000285

Moats Construction, Inc.....Appellant,

vs.

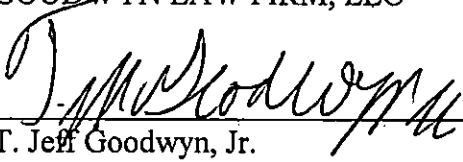
City Council of the City of Anderson.....Respondent.

**APPELLANT’S RESPONSE TO MOTION TO STRIKE MATTERS  
FROM APPELLANT’S DESIGNATION OF MATTER**

Appellant, by and through its undersigned attorney, hereby files its memorandum in response to Respondent’s Motion to Strike Matters From Appellant’s Designation of Matter. As stated in Respondent’s motion, this matter involves the timeliness of Appellant’s appeal to the Circuit Court from the Anderson City Council’s determination in a procurement matter.

By the nature of this action being the timeliness of the appeal, the exhibits related to Appellant’s notice of the ruling and the timeliness of the appeal would not have been submitted to the Circuit Court. Because the timeliness of the appeal is the central issue, however, these documents are necessary to the appeal and are properly designated under Appellate Court Rules 209 and 210(c). As a result, the Court should deny Respondent’s motion.

GOODWYN LAW FIRM, LLC

A handwritten signature in black ink, appearing to read "T. Jeff Goodwyn, Jr.", written over a horizontal line.

T. Jeff Goodwyn, Jr.

2309 Devine Street

Columbia, SC 29205

[JGoodwyn@Goodwynlaw.com](mailto:JGoodwyn@Goodwynlaw.com)

(803) 251-4517

(803) 251-4527

*Attorney for Appellant*

Columbia, South Carolina  
October 27, 2021

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY  
CIRCUIT COURT

R. Scott Sprouse, Circuit Court Judge

Case No.: 2020-CP-04-01809

Moats Construction, Inc.....Appellant,

v.

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

**PROOF OF SERVICE**

I certify that I have served the **Motion for Extension of Time to File a Response to Respondent’s Motion to Strike Matters from Appellant’s Designation of Matter** as well as **Appellant’s Response to Respondent’s Motion to Strike Matters from Appellant’s Designation of Matter** on J. Franklin McClain, Esquire and Stacey T. Coffee, Esquire, Attorneys for the Respondent, at the address below by depositing a copy of same in the United States Mail, postage prepaid, on October 27, 2021.

J. Franklin McClain, Esquire  
Office of the City Attorney  
401 South Main Street  
Anderson, SC 29624

Stacey T. Coffee, Esquire  
Logan & Jolly, LLP  
P.O. Box 259  
Anderson, SC 29622

**GOODWYN LAW FIRM, LLC**

  
\_\_\_\_\_  
T. Jeff Goodwyn, Jr. (73789)

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*Attorney for Appellant*

October 27, 2021

T. Jeff Goodwyn, Jr.\*†

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\*Also Licensed in Georgia  
† Certified Circuit Court Mediator

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**SC Court of Appeals**

The Honorable Jenny Abbott Kitchings  
Clerk of Court, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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

Dear Ms. Kitchings:

Enclosed for filing, please find the original and one copy of a Motion for Extension of Time to File the Reply to Respondent's Motion to Strike Appellant's Designation of Matter along with a Proof of Service in regards to the above referenced matter. Please have your office file the original and return the filed, stamped copy to me in the self-addressed stamped envelope provided. Also, enclosed is a check in the amount of \$50.00 representing the filing fees for same.

Also, enclosed please find an original and one copy of Appellant's Response to Respondent's Motion to Strike Matters from Appellant's Designation of Matter. Please also return a filed copy of same to my office.

As evidenced in the Proof of Service, I have served all interested parties, with a copy of this Motion and Reply.

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  
Stacey T. Coffee, Esquire