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Mar 08 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Erin D. Dean, Special Referee

Case No.: 2019-CP-07-00818
Appellate Case No. 2021-00321

Mare Baracco..... Appellant-Respondent,

v.

Beaufort County..... Respondent-Appellant.

**RESPONDENT-APPELLANT’S MOTION TO MAINTAIN UNDER SEAL CERTAIN
DOCUMENTS CONTAINING PRIVATE AND/OR PRIVILEGED MATERIALS
WITH CONSENT**

In accordance with Rule 240, SCACR, Beaufort County (the “*County*”) moves to maintain under seal certain documents containing private or privileged materials. This motion is made with the consent of counsel for the Appellant-Respondent.

The documents that the County moves to have filed under seal are un-redacted emails reviewed in camera by the Special Referee to determine the propriety of certain redactions made by the County in accordance with the South Carolina Freedom of Information Act. These documents were produced to the Special Referee under seal and should remain under seal. Redacted versions of these documents are incorporated within the Record on Appeal and are to be publically available.

This Motion is based on the pleadings, the extensive briefing of the Parties, and the applicable law, as well as any other evidence, or memorandum of law that the Parties may submit to the Court at or prior to a hearing on this Motion.

March 7, 2022

s/ E. Richardson LaBruce
E. Richardson LaBruce, S.C. Bar No. 80106
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*Attorney(s) for Respondent-Appellant Beaufort
County*

I SO CONSENT:

March 7, 2022

s/ Thomas R. Goldstein
Thomas R. Goldstein, S.C. Bar No. 2186
Post Office Box 71124
N. Charleston, SC 29415-1121
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*Attorney(s) for Appellant-Respondent Mare
Baracco*

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Appellant-Respondent,

v.

Beaufort County,

Respondent-Appellant.

PROOF OF SERVICE

I certify that I have served the Respondent-Appellant's Motion to Maintain Under Seal Certain Documents Containing Private and/or Privileged Materials with Consent, by emailing a copy of it to Thomas R. Goldstein, Attorney for Appellant, at email tgoldstein@cobblaw.net on March 8, 2022.

March 8, 2022

s/ E. Richardson LaBruce _____
E. Richardson LaBruce, S.C. Bar No. 80106
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Also admitted in:
* Georgia
† New York

□ Court Certified Mediator
▪ Court Certified Arbitrator / Mediator

March 8, 2022

Via United States First Class Mail

Hon. Jenny A. Kitchings,
Clerk of Court
S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Mare Baracco v. Beaufort County; 2019-CP-07-00818
Appellate Tracking No.: 2021-00321
Our File No. 6868.002 – Beaufort County

Dear Ms. Kitchings:

I am filing an electronic version of the Respondent-Appellant's Motion to Maintain Under Seal Certain Documents Containing Private and/or Privileged Materials with Consent along with a Proof of Service. I understand that I am not required to file a paper copy of the Motion to Seal. I am, however, emailing a copy to opposing counsel. Enclosed is our firm's check for \$50.00 to cover the fee for the motion.

Please let me know if I need to do anything other than electronic filing on the Motion to Seal. I thank you in advance for your attention.

With best regards, I am

Sincerely yours,



E. Richardson LaBruce
FINGER, MELNICK & BROOKS, P.A.

ERL/

Enclosure: Motion to Seal & Check

cc: T. Goldstein (via email)

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