

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM RICHLAND COUNTY

Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Case No. 2012-CP-40-1560

South Carolina Public Interest Foundation and Edward D. Sloan, Jr., individually, and on behalf of all others similarly situated, Appellants,

v.

South Carolina Department of Transportation, and John V. Walsh, Deputy Secretary of Transportation for Engineering,..... Respondents.

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Appellants designate the following be included in the Record on Appeal:

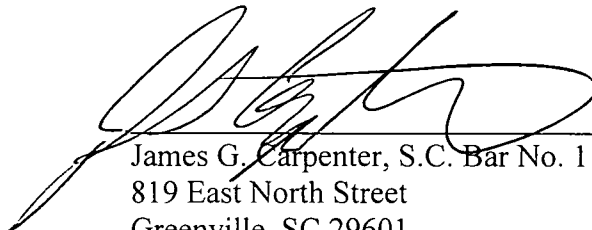
1. Order entered November 21, 2012
2. Complaint (and Exhibits) filed on February 24, 2012.
3. Answer filed on March 16, 2012.
4. Plaintiffs' Motion for Summary Judgment, Memorandum of Law, and exhibits filed August 21, 2012.

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5. Defendants Return to Plaintiff's Motion for Summary Judgment, and Defendants Cross-Motion for Summary Judgment and Memorandum of Law in Support dated August 31, 2012.
6. Plaintiff's Reply Memorandum in Support of Motion for Summary Judgment, and in Opposition to Defendants Cross-Motion for Summary Judgment.

The undersigned attorney hereby certifies pursuant to SCACR 209 (C) that the Appellants' Designation of Record on Appeal contains no matter that is irrelevant to the appeal.

Respectfully submitted,



James G. Carpenter, S.C. Bar No. 1136
819 East North Street
Greenville, SC 29601
(864) 235-1269
Attorney for Appellants

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY

Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Case No. 12-CP-40-1560

South Carolina Public Interest Foundation and Edward D. Sloan, Jr., individually, and on behalf of all others similarly situated, Appellant,

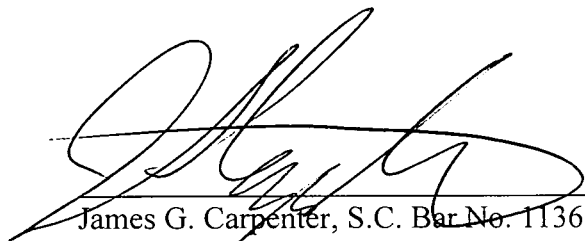
v.

South Carolina Department of Transportation, and John V. Walsh, Deputy Secretary of Transportation for Engineering, Respondents.

PROOF OF SERVICE

The undersigned attorney hereby certifies that he served a copy of Appellant's Initial Designation of Matter to be Included in the Record on Appeal upon counsel for the Respondents by US Mail, postage prepaid this Tuesday, April 23, 2013, addressed as follows:

Beacham O. Brooker, Jr.
Assistant Chief Counsel
S.C. Department of Transportation
P.O. Box 191
Columbia, SC 29202-0191



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Attorney for Appellants

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*LICENSED IN S.C. & N.C.

April 23, 2013

The Honorable Jenny Abbott Kitchings
Clerk of SC Court of Appeals
PO Box 11629
Columbia, SC 29211

Re: *South Carolina Public Interest Foundation et al. v. South Carolina Department of Transportation, and John V. Walsh, Deputy Secretary of Transportation for Engineering*
Civil Action No. 2012-CP-40-1560

Dear Ms. Kitchings:

I enclose Appellant's Initial Designation of Matter to be Included in the Record on Appeal.

If you need anything else, please telephone me.

Sincerely yours,
THE CARPENTER LAW FIRM, PC

James G. Carpenter

Enclosures

cc w/enclosure: Beecham O. Brooker, Jr.

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