

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM BERKELEY COUNTY

Robert E. Watson, Circuit Court Judge

Appellate Case No. 2013-000394

Case No. 2009-CP-08-3890

RECEIVED
MAY 03 2013
SC Court of Appeals

South Carolina Department of Transportation.....Appellant,

vs.

RI CS5, LLCRespondent,

and

Worsley Operating Corporation, a North Carolina Corporation, Lessee, and Berkeley
County Treasurer's Office, Lienholder.....Other Condemnees.

Appellant's Designation of Matter to be Included in the Record on Appeal

Appellant proposes the following matter to be included in the record on appeal:

Orders:

Order granting landowner's application for award of reasonable litigation expenses,
February 4, 2013

Final order and judgment, May 17, 2012

Motions and memoranda:

Landowner's application for award of reasonable litigation expenses (time sheets
omitted).

Condemnor's return to landowner's application for award of reasonable litigation expenses.

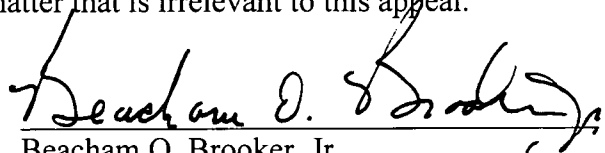
Reply in further support of landowner's application for reasonable litigation expense (exhibit 1 and exhibit A & B to Exhibit 3 omitted).

Transcripts:

Transcript of hearing October 2, 2012 (entire transcript).

Transcript of bench trial, December 14, 2011, pages 9, 23, 24-29, 32-33, 41, 43-54, 69, 108, 110.

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



Beacham O. Brooker, Jr.
South Carolina Department of
Transportation
Post Office Box 191
Columbia, South Carolina 29201-0191
(803) 737-1347
brookerbo@scdot.org

Attorney for Appellant

May 1, 2013

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SC Court of Appeals

South Carolina Department of Transportation Appellant,

vs.

RI CS5, LLC Respondent,

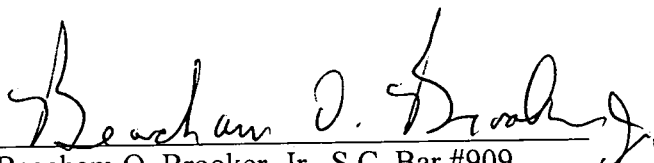
and

Worsley Operating Corporation, a North Carolina Corporation, Lessee, and Berkeley County
Treasurer's Office, Lienholder Other Condmmnees.

PROOF OF SERVICE

I certify that I have served the INITIAL BRIEF OF APPELLANT and APPELLANT'S DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL on the Respondent by depositing a copy of it in the United States Mail, postage prepaid on May 2, 2013, addressed to its attorneys of record, Paul A. Dominick and Jeffrey S. Tibbals, as follows:

Paul A. Dominick, Esquire
Jeffrey S. Tibbals, Esquire
Nexsen Pruet LLC
Suite 400, 205 King Street
Charleston, SC 29401



Beacham O. Brooker, Jr., S.C. Bar #909
South Carolina Department of Transportation
Post Office Box 191
Columbia, South Carolina 29201-0191
(803) 737-1347
brookerbo@scdot.org

John S. West
Post Office Box 1869
Moncks Corner, South Carolina 29461
Jwestlaw@HomeSC.com

Attorneys for Appellant

May 1, 2013