

IN THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM AIKEN COUNTY  
COURT OF COMMON PLEAS

The Honorable Doyet A. Early, III

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Case Number: 10 -CP-02-02981

**RECEIVED**

MAY 04 2012

**SC Court of Appeals**

**I. LEHR BRISBIN**

**Appellant**

Versus

**AIKEN ELECTRIC COOPERATIVE, INC.,  
AND GARY STOOKSBURY  
AND CAROLINA TREE CARE INC.,  
OF NORTH AMERICA**

**Respondent**

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DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL

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

1. Amended Summons for Relief and Amended Complaint filed January 13, 2011;
2. Answer to Amended Complaint by Aiken Electric Cooperative dated January 24, 2011;
3. Reply to Answer to Amended Complaint filed January 27, 2011;
4. Amended Answer by Carolina Tree Company dated March 9, 2011;
5. Reply to Answer to Amended Complaint filed March 17, 2011;
6. Defendant's Aiken Electric Cooperative Motion for Summary Judgment signed March 8, 2011;
7. Plaintiff's response to Defendant's Aiken Electric Cooperative's Motion for Summary Judgment filed October 18, 2011;
8. Order Granting Summary Judgment filed December 12, 2011;
9. Motion to Alter or Amend Judgment Pursuant to Rule 59 (e) SCRPC filed December 20, 2011;
10. Order by Consent filed January 24, 2012;
11. Order Denying Motion to Reconsider filed January 26, 2012
12. Transcript of Record (11/07/2011) Pages: 7, 11, 12; and
13. Transcript of Record (01/09/2012) Pages: 5, and 6.

I certify that this designation contains no matter which is not relevant to this appeal.



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Law Office of Mark J. Devine  
Mark J. Devine  
Attorney for Appellant  
303 Richland Ave. E  
P.O. Box 2008  
Aiken, S.C. 29802

Other Counsel of Record:  
Pope D Johnson, III, Esq.  
P.O. Box 11209  
Columbia, SC 29211

Donnell Jennings, Esq.  
PO Box 1473  
Columbia, SC 29202

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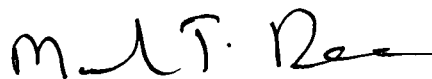
Versus

**AIKEN ELECTRIC COOPERATIVE, INC.,  
AND GARY STOOKSBURY  
AND CAROLINA TREE CARE INC.,  
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**Respondent**

**PROOF OF SERVICE**

I certify that the Appellant's Initial Brief and the Designation of Matter to be Included in the Record of Appeal has been served on the respondent by depositing a copy of it in the United States Mail, postage prepaid, on May 3, 2012, addressed to the other counsel of record set-forth below.



Law Office of Mark J. Devine  
Mark J. Devine  
Attorney for Appellant  
303 Richland Ave. E  
P.O. Box 2008  
Aiken, S.C. 29802

Other Counsel of Record:  
Pope D Johnson, III, Esq.  
P.O. Box 11209  
Columbia, SC 29211

Donnell Jennings, Esq.  
PO Box 1473  
Columbia, SC 29202

*Law Office of Mark J. Devine  
Attorney at Law*

303 Richland Avenue, East  
P.O. Box 2008  
Aiken, SC 29802  
Phone 803-648-3900 Facsimile 803-642-2778

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May 3, 2012

**SC Court of Appeals**

The Honorable Tanya Gee  
Clerk, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, SC 29201

**By Express Overnight Delivery-USPS**

Re: I. Lehr Brisbin v. Aiken Electric Cooperative, Inc/Gary Stooksbury  
Carolina Tree Care Inc., of North America

Case Number: 10-CP-02-02981

Dear Ms. Gee;

Dear Ms. Gee:

Enclosed for filing please find the following:

- 1) Appellant's Initial Brief;
- 2) Designation of Matter to be Included in the Record of Appeal; and
- 3) Proof of Service.

Please file the original documents and return a certified copy of the Proof of Service, the Designation of Matter and the Initial Brief in the enclosed, self-addressed envelope.

With warm regards,



Mark J. Devine

cc: Pope D Johnson, III, Esq.  
P.O. Box 11209  
Columbia, SC 29211

cc: Donnell Jennings, Esq.

PO Box 1473  
Columbia, SC 29202