

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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AUG 18 2022

SC Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas
Michael L. Nettles, Circuit Court Judge

Appellate Case No. 2022-00131
Case Nos. 2020-CP-21-1297/1296

Walt ParkerPlaintiff/Appellant,

v.

Florence Carpet & Tile, Inc., John C. Curl, and Mike BarkerDefendants/Respondents,

AND

Allison ParkerPlaintiff/Appellant,

v.

Florence Carpet & Tile, Inc., John C. Curl, and Mike BarkerDefendants/Respondents,

**RESPONDENTS' DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD OF APPEAL**

Respondent proposes the following to be included in the Record on Appeal:

- 1) The following new items not previously designated by Appellants:
 - a. Defendant John Curl's Memorandum in Support of Motion for Summary Judgment (C/A No.: 2020-CP-21-1296) filed November 2, 2021;
 - b. Defendant John Curl's Memorandum in Support of Motion for Summary Judgment (C/A No.: 2020-CP-21-1297) filed November 2, 2021;
 - c. Defendant Mike Barker's Memorandum in Support of Motion for Summary Judgment (C/A No.: 2020-CP-21-1296) filed November 2, 2021;
 - d. Defendant Mike Barker's Memorandum in Support of Motion for Summary Judgment (C/A No.: 2020-CP-21-1297) filed November 2, 2021;

2) All items designated by Appellants Walt Parker and Allison Parker in their Designation filed with this Court which included:

ORDERS

- a. Order Granting Summary Judgment (Walter Parker) filed on December 2, 2021
- b. Order Granting Summary Judgment (Allison Parker) filed on December 2, 2021
- c. Order Denying Motion to Reconsider (Walter Parker) filed on January 28, 2022
- d. Order Denying Motion to Reconsider (Allison Parker) filed on January 28, 2022

INITIAL PLEADINGS

- e. Complaint (Walter Parker) filed on May 19, 2020
- f. Complaint (Allison Parker) filed on May 19, 2020
- g. Answer (Walter Parker) filed on August 3, 2020
- h. Answer (Allison Parker) filed on August 3, 2020

MOTIONS AND RESPONSES (INCLUDING AFFIDAVITS)

- i. Defendant Barker's Motion for Summary Judgment with Memorandum and Affidavits (Walter Parker) filed on August 27, 2021
- j. Defendant Barker's Motion for Summary Judgment with Memorandum and Affidavits (Allison Parker) filed on August 27, 2021
- k. Defendant Curl's Motion for Summary Judgment with Memorandum and Affidavits (Walter Parker) filed on August 27, 2021
- l. Defendant Curl's Motion for Summary Judgment with Memorandum and Affidavits (Allison Parker) filed on August 27, 2021
- m. Plaintiff Walter Parker's Response in Opposition to Motion for Summary Judgment with Exhibits, Deposition Transcript Excerpts, and Affidavits filed on November 1, 2021
- n. Plaintiff Allison Parker's Response in Opposition to Motion for Summary Judgment with Exhibits, Deposition Transcript Excerpts, and Affidavits filed on November 1, 2021
- o. Plaintiffs Motion to Alter or Amend Judgment (Walter Parker) filed on December 9, 2021
- p. Plaintiff's Motion to Alter or Amend Judgment (Allison Parker) filed on December 9, 2021

TRIAL TRANSCRIPT AND EXHIBITS

- r. Transcript of Record of November 3, 2021 Hearing

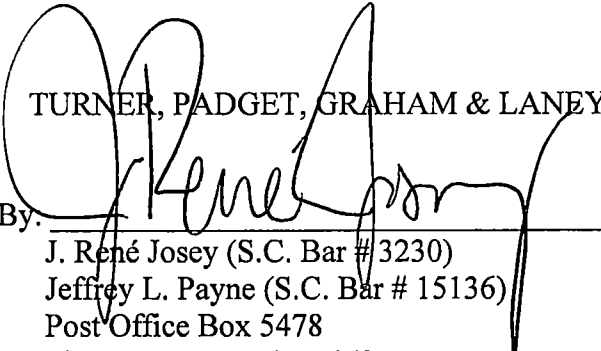
SCACR 209(C) CERTIFICATION

Pursuant to SCACR 209(c), we each certify that this designation contains no matter which is irrelevant to the appeal.

Florence, South Carolina

August 15, 2022

TURNER, PADGET, GRAHAM & LANEY, P.A.

By: 

J. René Josey (S.C. Bar # 3230)
Jeffrey L. Payne (S.C. Bar # 15136)
Post Office Box 5478
Florence, SC 29502-5478
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ATTORNEYS FOR RESPONDENTS

Other Counsel of Record:
J. Scott Kozacki, Esquire

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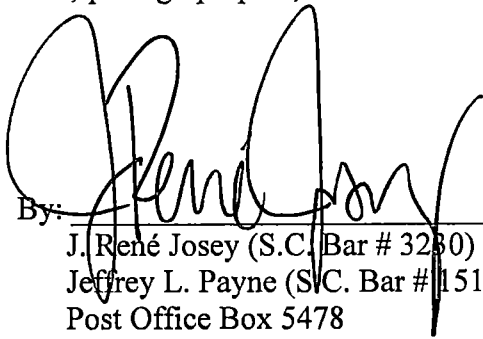
v.

Florence Carpet & Tile, Inc., John C. Curl, and Mike BarkerDefendants/Respondents,

PROOF OF SERVICE

I certify that I have served a copy of the Respondents' *Designation of Matter* by depositing copies of the same in the United States mail, postage prepaid, on Counsel for Appellants at the following addresses:

J. Scott Kozacki, Esquire
Wilcox, Buyck, and Williams
Post Office Box 1909
Florence, SC 29503

By:  8/15/2022

J. René Josey (S.C. Bar # 3280)
Jeffrey L. Payne (S.C. Bar # 15136)
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ATTORNEYS FOR RESPONDENTS

Turner Padget

REPLY TO:

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Allison Parker v. Florence Carpet & Tile, Inc., et al.; Case No.: 2020-CP-21-1296
Walter Parker v. Florence Carpet & Tile, Inc., et al.; Case No: 2020-CP-21-1297
Appellate Case No.: 2022-00131
TPGL File No.: 4009.106

Dear Ms. Kitchings:

Pursuant to SCACR 208 and SCACR 209, enclosed for filing in the two appeals above which have been consolidated for briefing, is an original and one copy of the Initial Brief of Respondents, Proof of Service, and Designation of Matter To be Included in the Record on Appeal with its Proof of Service. Please time stamp the enclosed copies and return to us in the enclosed self-addressed stamped envelope provided for your convenience.

By copy of this letter, we are serving a copy of the above-stated pleadings on J. Scott Kozacki, attorney for Appellants.

Should you have any questions or concerns, please contact me at (843) 656-4451.

Sincerely,

TURNER PADGET GRAHAM & LANEY P.A.

J. René Josey

JRJ/alb/Enclosures

cc: J. Scott Kozacki, Esq. (US Mail)



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Turner Padgett

P.O. Box 5478, Florence, SC 29502

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The Honorable Jenny Abbott Kitchings
 Clerk, South Carolina Court of Appeals
 Post Office Box 11629
 Columbia, South Carolina 29211

