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**Sep 16 2022**  
**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

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Appellate Case No. 2022-000328

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Mark Shaffer, as Personal Representative of the Estate of Susan Shaffer, Appellant,

v.

DEH Disaster Recovery, LLC; Ceres Environmental Services, Inc.; Beaufort County, A Political Subdivision of the State of South Carolina; Ryan Colter Stoltz; Matt T. Dotson; Tim Tod Dotson; Brandi Dotson; Spencer A. Olson Trucking, LLC; Buyers Products, Co.; and TruckPro, LLC, Defendants,

of which Ceres Environmental Services, Inc. and Beaufort County, a Political Subdivision of the State of South Carolina, are the Appellants-Respondents,

and Spencer A. Olson Trucking, LLC, DEH Disaster Recovery, LLC, and Ryan Colter Stoltz are the Respondents.

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**APPELLANTS-RESPONDENTS' DESIGNATION OF MATTER  
TO BE INCLUDED IN RECORD ON APPEAL**

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Appellants-Respondents propose that the following material be included in the Record on Appeal. All exhibits and attachments referenced in the materials listed are to be considered incorporated herewith.

1. Original Summons & Complaint
2. Ceres' Answer and Cross Claims to Original Summons & Complaint
3. Amended Summons & Complaint
4. Second Amended Summons & Complaint
5. Third Amended Summons & Complaint

6. Ceres' Answer and Third-Party Indemnity Claims as to Third Amended Complaint
7. DEH and Stoltz's Motion for SJ
8. DEH and Stoltz's Memo in Support of SJ - filed July 2021
9. DEH and Stoltz's Memo in Support of SJ - filed in October 2021
10. Olson's Motion for SJ
11. Olson's Memo in Support of SJ
12. Ceres' Memo in Opposition to SJ Motions of Olson, DEH, and Stoltz
13. Form 4 Order Granting DEH and Stoltz SJ as to Ceres' Cross Claims
14. Form 4 Order Granting Olson SJ as to Ceres' Cross Claims
15. Plaintiff's Verified Petition for Settlement with Olson, DEH, and Stoltz
16. Order Approving Plaintiff's Settlement with Olson, DEH, and Stoltz
17. Ceres' Motion for Reconsideration of Orders Granting SJ to Olson, DEH, and Stoltz
18. Order of 3-10-2022 Granting DEH and Stoltz SJ and Denying Reconsideration
19. Order of 3-10-2022 Granting Olson SJ and Denying Reconsideration
20. Ceres' Notice of Appeal as to DEH and Stoltz's SJ Order and Olson's SJ Order
21. Court of Appeals Letter Directing Consolidation of Appeals
22. Beaufort County's Storm Clean-Up Contract with Ceres
23. Ceres-Olson Subcontract – Project Master Subcontract
24. DEH's Lien Waiver in Favor of Ceres and Beaufort County
25. Olson-DEH Subcontract
26. Deposition Transcript of Michael Napier, Expert Witness for Dotson Defendants
27. Deposition Transcript of Plaintiff Mark Shaffer
28. Transcript of Hearing on SJ Motions of Olson, DEH, and Stoltz
29. Transcript of Hearing of Ceres' Motion to Reconsider SJ of Olson, DEH, and Stoltz
30. Each and every document that is listed within the Appellant's Designation of Matter to be Included in the Record on Appeal, with the proviso that Appellants-Respondents demand that the entire transcripts of the depositions, with exhibits, and the entire MAIT Report, with exhibits, be included in order to permit the Court of Appeals to consider the context of all testimony identified in the respective Briefs.

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Respectfully Submitted,



September 16, 2022

Charleston, SC

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**APPELLANTS-RESPONDENTS' CERTIFICATION AS TO  
DESIGNATION OF MATTER  
TO BE INCLUDED IN RECORD ON APPEAL**

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The undersigned, R. Patrick Flynn, Counsel for the above-captioned Appellants-Respondents, hereby certifies that the Designation of Matter to be Included in the Record on Appeal, which is being filed herewith, contains no matter which is irrelevant to this appeal.

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Respectfully Submitted,



September 16, 2022

Charleston, SC

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