

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

The Honorable Alexander S. Macaulay, Circuit Court Judge

Case Nos. 2010-CP-04-1845 and 2012-CP-04-1433
Appellate Case No. 2012-213385

JAMES ROBERT MALLOYPLAINTIFF,

v.

SWAIN N. THOMPSON, JR.DEFENDANT.

In the Matter of: ESTATE OF ROBERT L. CHAMBLEE

JAMES ROBERT MALLOYRESPONDENT,

v.

SWAIN N. THOMPSON, JR., MERRILL LYNCH, PIERCE, FENNER
& SMITH, INC., JOSEPH T. ARGO, AND GREENE AND
COMPANY, L.L.P. DEFENDANTS,

Of whom MERRILL LYNCH, PIERCE, FENNER & SMITH, INC. is the APPELLANT,

In the Matter of: ESTATE OF ROBERT L. CHAMBLEE.

**DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Appellee proposes the following to be added in the Record on Appeal in addition
to the matters designated by the Appellant which are incorporated herein by reference:

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1. Motion to Dismiss by the Defendant Swain N. Thompson, Jr.

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

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Dated: May 31, 2013
Greenville, South Carolina.

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Of whom MERRILL LYNCH, PIERCE, FENNER & SMITH, INC. is the APPELLANT.

In the Matter of: ESTATE OF ROBERT L. CHAMBLEE,

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CERTIFICATE OF SERVICE

SC Court of Appeals

This is to certify that I have this day served a copy of the foregoing **INITIAL BRIEF**
OF RESPONDENT and **DESIGNATION OF MATTER TO BE INCLUDED IN THE**

RECORD ON APPEAL by depositing the same in the United States Mail with adequate postage affixed thereon to ensure delivery, addressed as follows:

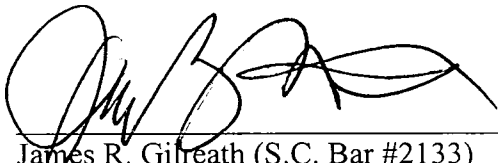
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