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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas for the Ninth Circuit

The Honorable Mikell Scarborough, Master in Equity

Case No.: 2016-CP-10-06265
App. Case No. 2022-000078

TONY A. BILLIPS, individually and as a derivative shareholder of Alex’s Restaurants, Inc.,.....*Plaintiff/Respondent,*

v.

CAROLYN A. BILLIPS, individually and as Trustee of the benefit of Anthony Billips, William Casey Ivey, and Alex Billips, and as controlling person of Alex’s Restaurants, Inc. and ALEX’S RESTAURANTS, INC.,.....*Defendants/Appellants.*

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

Appellants assert the following documents, with all supporting exhibits, should be included in the Record on Appeal:

1. Consent Order to Seal [Hon. Mikell R. Scarborough] filed December 13, 2018;
2. Order [Hon. Mikell R. Scarborough] filed Dec. 28, 2018;
3. Order [Hon. Mikell R. Scarborough] filed November 22, 2021;
4. Order [Hon. Mikell R. Scarborough] filed December 21, 2021;
5. Defendants’ Motion to Dismiss and For Further Relief filed Oct. 4, 2018;
6. Defendants’ Opposition to Motion to Reconsider and Defendants’ Motion for Relief filed December 17, 2021;
7. Amended Complaint filed January 18, 2018; and

8. Trial Tr. (Aug. 24, 2021 & August 25, 2021) before The Hon. Mikell R. Scarborough
I certify this designation contains no matter irrelevant to this appeal.

Respectfully submitted:

EPTING & RANNIK, LLC

October 17, 2022
Charleston, South Carolina

/s/ Jaan Rannik_____

Jaan G. Rannik
46A State Street
Charleston, SC 29401
Phone: 843-377-1871
Fax: 843-377-1310
jgr@epting-law.com

ATTORNEY FOR DEFENDANTS/APPELLANTS