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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Robert J. Bonds, Circuit Court Judge

Appellate Case No. 2022-000328

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; Byers 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.

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

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. Appellate Briefs of All Parties to the Consolidated Appeals

Respectfully Submitted,



November 7, 2022

Charleston, SC

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

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,



November 7, 2022

Charleston, SC

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