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**Feb 03 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity

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Case No.: 2018-CP-10-4083

Appellate Case No.: 2022-001114

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Charleston Carriage Works, L.L.C.,

Appellant,

v.

Charleston Animal Society, Ellen Harley and  
Charleston Carriage Horse Advocates, Inc.,

Respondents.

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DESIGNATION OF CONTENTS OF RECORD ON APPEAL

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February 3, 2023

/s/Thomas R. Goldstein

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Attorneys for Appellant

## **ORDERS**

|                |  |
|----------------|--|
| August 2, 2022 | Order denying motions for reconsideration                              |
| May 12, 2022   | Order denying amendments to add parties defendant and plaintiff        |
| May 12, 2022   | Order denying amended scheduling Order                                 |
| May 12, 2022   | Order granting summary judgment  |
| May 5, 2022    | Order denying sanctions for failure to provide discovery               |
| July 8, 2021   | Order referring motions to Master-in-Equity<br>(reference fee omitted) |
| May 27, 2021   | Order referring case to Master-in-Equity                               |
| July 30, 2020  | Order Resolving Cross Motions to Compel                                |
| July 16, 2019  | Consent Scheduling Order   |
| June 17, 2020  | Plaintiff's Motion to Compel is Granted                                |
| June 2, 2020   | Confidentiality Order  |

## **PLEADINGS**

|                    |  |
|--------------------|--|
| August 17, 2018    | Amended Complaint                                  |
| October 19, 2018   | Motions to Dismiss                                 |
| October 19, 2018   | Motions for Summary Judgment                       |
| July 5, 2019       | Plaintiffs Motion to Compel                        |
| July 22, 2019      | Defendant's Motion to Compel                       |
| September 27, 2019 | Plaintiff's Amended Motion to Compel               |
| November 20, 2019  | Motions for Summary Judgment (2)                   |
| November 20, 2019  | Answers (3)  |
| November 20 2019   | Motion to Limit Liability and Strike Claim         |
| January 30, 2020   | Motion for Confidentiality                         |
| January 30, 2020   | Motion to Quash Subpoena                           |
| January 30, 2020   | Motion to Compel Plaintiff's Responses             |
| April 6, 2020      | Motion to Amend Complaint                          |
| May 27, 2020       | Motion for Summary Judgment                        |
| August 17, 2020    | Motion to Compel Plaintiff's discovery responses   |
| August 19, 2020    | Motion to Quash Subpoena                           |
| September 11, 2020 | Motion for summary judgment                        |
| October 2, 2020    | Motion for Sanctions                               |
| October 20, 2020   | Motion to Enlarge Time and extend scheduling Order |
| November 16, 2020  | Motion for summary judgment                        |
| May 12, 2022       | Motion for Reconsideration                         |
| May 20, 2022       | Motion for Reconsideration                         |
| May 23, 2022       | Notice of filing corrected exhibit                 |
| August 11, 2022    | Notice of Appeal                                   |

## **AFFIDAVITS**

|                   |   |
|-------------------|---|
| February 25, 2020 | Affidavit of Broderick Christoff              |
| December 2, 2020  | Supplemental Affidavit of Broderick Christoff |

|                    |  |
|--------------------|--|
| August 19, 2021    | Second Supplemental Affidavit of Broderick Christoff |
| September 24, 2021 | Third Supplemental Affidavit of Broderick Christoff  |
| April 22, 2022     | Fourth Supplemental Affidavit of Broderick Christoff |
| September 11, 2020 | Affidavit of Joe Elmore                              |
| September 28, 2021 | Affidavit of Katherine Vaughn                        |
| April 22, 2022     | Affidavit of Steve Abrams                            |
| August 20, 2021    | Affidavit of Ellen Harley                            |

**MEMORANDA and EXHIBITS**

|                    |   |
|--------------------|---|
| February 18, 2020  | Memo in opposition to motion to limit damages             |
| February 25, 2020  | Memo in opposition to motion for summary judgment         |
| May 1, 2020        | Joint memo in opposition to motion to amend               |
| May 22, 2020       | Memo in opposition to plaintiff’s motion to compel        |
| May 26, 2020       | Memo in support of motion to amend                        |
| October 2, 2020    | Memo in support of motion for sanctions                   |
| December 2, 2020   | Memo in support of status conference                      |
| August 19, 2021    | Memo in opposition to summary judgment                    |
| August 20, 2021    | Memo in support of summary judgment                       |
| August 20, 2021    | Memo in opposition for amended scheduling order           |
| August 20, 2021    | Memo in opposition to application for sanctions           |
| August 20, 2021    | Memo in support of summary judgment                       |
| September 29, 2021 | Memo in opposition to application to amend complaint      |
| January 26, 2022   | Supplemental Memorandum of Law ( <i>Erickson</i> factors) |
| May 12, 2022       | Memorandum in support of reconsideration                  |
| May 20, 2022       | Memorandum in support of reconsideration                  |
| May 23, 2022       | Notice of filing corrected exhibits                       |

**TRANSCRIPTS**

|                   |   |
|-------------------|---|
|                   | Transcript of Master in Equity September 29, 2021 |
| December 15, 2020 | Transcript of Judge Price May 28, 2020            |
| June 7, 2022      | Transcript of Judge Price June 16, 2020           |
| August 20, 2021   | Transcript of 30(b)(6) deposition (Ellen Harley)  |
| May 5, 2022       | Transcript of Justin Miller, D.V.M.               |

**VIDEO**

Video of incident—filed electronically only

**ORDINANCES**

Article V of Section 29 of City Code

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Certificate of Counsel

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

February 3, 2023

/s/ Thomas R. Goldstein

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Hon. Jenny A. Kitchings  
Clerk of Court  
S. C. Court of Appeals  
P. O. Box 11629  
Columbia, S. C. 29211

RE: Appellate Case No. 2022-001114  
Charleston Carriage Works, LLC v. Charleston Animal Society, *et. al.*

Dear Ms. Kitchings,

I am filing electronically the appellant's initial brief, designation of contents of record on appeal, and a proof of service. By copy of this letter, I am providing copies to opposing counsel electronically and by regular mail (unless they do not want paper copies). Please let me know if I am required to do anything further to perfect this filing. I thank you in advance. With kind regards  
I am

Very truly yours,

/s/ Thomas R. Goldstein  
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