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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Probate Court

The Honorable Amy W. McCulloch
Richland County
Trial Court Case No. 2020GC4000072

APPELLATE CASE NO. 2022-001226 and 2022-001328

Jane E. Baskin.....Respondent,

v.

William B. Walkup.....Appellant.

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

Respondent hereby designates the following matter to be included in the Record on Appeal:

- | | | |
|----|---|------------|
| 1. | Complaint | 07/20/2020 |
| 2. | Guardian Ad Litem Report (October 19, 2020) | 10/19/2020 |
| 3. | Amended Answer and Counterclaim | 11/24/2020 |
| 4. | Plaintiff's Motion for Summary Judgment | 12/03/2020 |
| 5. | Defendant's Motion for Summary Judgment | 12/15/2020 |
| 6. | Plaintiff's Reply to Counterclaim | 12/18/2020 |

7.	Order Denying Plaintiff's and Defendant's Motions for Summary Judgment	12/22/2020
8.	Temporary Settlement Agreement	01/06/2021
9.	Order Regarding Emergency Hearing	10/29/2021
10.	Motion for Recusal	11/16/2021
11.	Reply to Motion for Recusal	12/02/2021
12.	Plaintiff's Motion in Limine	12/03/2021
13.	Memorandum in Opposition to Motion in Limine	12/13/2021
14.	Order Staying Proceedings	12/16/2021
15.	Emergency Motion for Intervention of Guardian Ad Litem for Jane Baskin	12/30/2021
16.	Affidavit of Thornwell F. Sowell (Recusal)	02/24/2022
17.	Affidavit of Bess J. DuRant (Recusal)	02/24/2022
18.	Amended and Supplemental Petition for Temporary Attorneys' Fees and Costs	03/01/2022
19.	Reply Affidavit of Richard C. Detwiler (Recusal)	03/04/2022
20.	Affidavit of W. Alex Weatherly, Jr. (Recusal)	03/04/2022
21.	Order Denying Motion for Recusal	04/28/2022
22.	Order Re-Appointing Michelle Nunn as Guardian Ad Litem for Jane Baskin	04/28/2022
23.	Guardian Ad Litem Report (June 8, 2022)	06/08/2022
24.	Defendant's Motion to Supplement and/or Amend Amended Answer and Counterclaim	06/13/2022
25.	Motion for Order and Rule to Show Cause (Contempt) or In the Alternative, Motion to Enforce Settlement, and for Sanctions	06/30/2022
26.	Defendant's Memorandum in Opposition to Motion for	

	Rule to Show Cause, etc.	07/13/2022
27.	Rescheduled of Motion Hearing (Rule to Show Cause)	08/02/2022
28.	Supplemental and/or Second Amended Answer and Counterclaim	08/04/2022
29.	Order Denying Defendant's Motion to Compel as to Text and Emails between Moseley and Weatherly	08/04/2022
30.	Defendant's Motion for Dismissal and Judgment Under Rule 41(b), SCRCP and a Motion for Directed Verdict	08/04/2022
31.	Reply to Defendant's Motion for Directed Verdict	08/09/2022
32.	Defendant's Motion to Include Accounting Summary As Trial Exhibit 57	08/10/2022
33.	Reply to Defendant's Motion to Include Accounting Summary as Trial Exhibit 57	08/11/2022
34.	Affidavit of William B. Walkup	08/12/2022
35.	Return to Late-Filed Affidavit of William B. Walkup	08/15/2022
36.	Order Approving Payment of Fees for Michelle Nunn	08/17/2022
37.	Defendant's Petition in Support of Award of Attorneys' Fees and Reimbursement of Expenses	08/19/2022
38.	Reply to Defendant's Memorandum in Opposition to Motion for Order and Rule to Show Cause	08/19/2022
39.	Second Amended and Supplemental Petition for Attorneys' Fees and Costs	08/19/2022
40.	Amended and Supplemental Affidavit in Support of Attorneys' Fees and Costs	08/19/2022
41.	Order Removing Trustee	08/23/2022
42.	Order Regarding Late-Filed Affidavit of William B. Walkup	08/31/2022
43.	Order Regarding Motion for Order and Rule to Show Cause or, In the Alternative, Motion to Enforce Settlement and for Sanctions "Order for Sanctions"	08/31/2022

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| 44. | Order Granting Petition for Attorneys' Fees and Costs | 08/31/2022 |
| 45. | Trial Transcripts
(a) January 4, 2021 – January 6, 2021
(b) August 5, 2022 | |

Trial Exhibits

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|-----|---|-------------|
| 1. | Last Will and Testament of Eldridge Baskin | 09/19/1990 |
| 2. | Letter from Rita Cullum to Bill Walkup | 04/07/2008 |
| 3. | Letter from Bill Walkup to Rita Cullum | 04/07/2008 |
| 4. | Kathy Parr Durable Power of Attorney | 04/15/2008 |
| 5. | Contract for House between Bill and Sheila Wolfe | 04/01/2016 |
| 6. | Jenni-Lynn Assisted Living Medical Evaluation | 02/17/2017 |
| 7. | Jane Baskin's Power of Attorney to Michele Moseley | 02/23/2017 |
| 8. | Jane Baskin's Healthcare Power of Attorney to Michele Moseley | 02/23/2017 |
| 9. | Letter to Alex Weatherly from Bill Walkup | 03/03/-2017 |
| 10. | Email from Anne Webster to Bill Walkup and Alex Weatherly | 03/08/2017 |
| 11. | Email from Katherine Parr to Alex Weatherly | 03/10/2017 |
| 12. | Doctor's Care medical record | 03/19/2017 |
| 13. | Alex Weatherly Letter to Bill Walkup raising "serious questions about how the Trust has been managed" | 03/29/2017 |
| 14. | Letter to Alex Weatherly from Ben Bruner | 05/04/2017 |
| 15. | Bill Walkup Letter to Jane Baskin | 08/10/2017 |
| 16. | Ben Bruner Email to Alex Weatherly | 08/15/2017 |
| 17. | Letter to Ben Bruner from Alex Weatherly | 10/10/2017 |
| 18. | Letter from Ben Bruner to Alex Weatherly | 10/17/2017 |

19.	Walkup Note to Moseley	03/2018
20.	Letter from Jane and Michelle to Bill	05/14/2018
21.	Letter to Ben Bruner from Alex Weatherly	05/16/2018
22.	Letter to Ben Bruner from Alex Weatherly	08/13/2018
23.	Letter to Ben Bruner from Alex Weatherly	09/25/2018
24.	Email to Alex Weatherly from Ben Bruner	09/25/2018
25.	Letter from Ben Bruner to Alex Weatherly	10/06/2018
26.	Letter from Bill Walkup to Jane Baskin	10/08/2018
27.	Letter to Alex Weatherly from Ben Bruner (letter dated 10-6-2018)	02/05/2019
28.	Letter from Alex Weatherly to Ben Bruner	05/13/2019
29.	Michele Moseley Email to Alex Weatherly	09/17/2020
30.	Michele Moseley Email to Alex Weatherly	09/30/2020
31.	Michele Moseley Email to Alex Weatherly	10/08/2020
32.	BID Letter to Judge McCulloch Providing Accounting	10/12/2020
33.	Michele Moseley Email to Alex Weatherly	10/15/2020
34.	Detwiler Letter to Judge McCulloch Providing letter from Alex Weatherly of items requested by Jane Baskin	10/16/2020
35.	Bess DuRant Letter to Judge McCulloch Answering Questions about 316 Summerlea Dr. home	10/21/2020
36.	Bess DuRant Letter to Judge McCulloch with budget	10/29/2020
37.	Walkup Revised Budget sent to Michelle Nunn	11/12/2020
38.	Michele Moseley Timesheets	
39.	Dr. Frampton Henderson Records	
40.	Rick Detwiler Letter to Biff Sowell and Bess DuRant	11/11/2020

- 41. Letter from Alex Weatherly to Ben Bruner 05/01/2020
- 42. Letter from Rick Detwiler to Ben Bruner 02/12/2020
- 43. Trust Profit and Loss Statement 01/2020-02/2020
- 44. Management Fees
- 45. Moseley Note to Walkup 07/02/2020
- 46. Letter from Walkup to Baskin 08/24/2017
- 47. Jane's Proposed Budget
- 48. Highlighted Deposition Transcript
- 49. Mortgage to Pat Watson
- 50. Note to Pat Watson
- 51. Email between Bill Walkup and Anne Webster in June 2020
- 52. Letter to Ben Bruner from Alex Weatherly 12/06/2019
- 53. Frampton Henderson Updated Records
- 54. Summary and Caregiver Timesheets
- 55. Ledger and Documentation
- 56. Family Tree
- 57. Summary of Assets as of 7-31-2020
- 58. William B. Walkup Deposition Excerpts, introduced at trial without objection, as follows:

From Page/Line	To Page/Line
6/11	8/5
10/9	11/4
13/5	13/24
16/11	17/8
24/19	25/13

26/6	30/19
31/19	32/17
33/1	33/22
37/10	37/24
39/4	40/9
43/17	45/11
70/17	72/7
76/9	77/8
51/1	52/2
54/23	55/18
80/2	84/24
85/22	88/20
94/6	97/18
98/17	104/23
108/18	113/12
115/2	115/14
116/12	117/24
125/8	128/9
171/10	172/14
176/9	178/2

Rule 209(c), SCACR Certification

I certify the foregoing Designation of Matter to be included in the Record on Appeal contains no matter that is irrelevant to this appeal.

[SIGNATURE ON FOLLOWING PAGE]

s/Richard C. Detwiler

Richard C. Detwiler, SC Bar No. 6473

Harry A. Dixon, SC Bar No. 103509

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March 8, 2023