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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM PICKENS COUNTY
Court of Common Pleas

Perry H. Gravely, Circuit Court Judge

Appellate Case No. 2022-001332

Andrew Pampu,	Appellant- Respondent,
v.	
Erin Wingo, David Wingo, and Colin J. Gahagan.....	Respondents- Appellants.

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

Pursuant to Rule 209, SCACR, Respondents-Appellants Erin Wingo and David Wingo designate the following material for inclusion in the record on appeal. Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that the designation contains no matter which is irrelevant to this appeal.

Orders

1. Order Denying Defendants’ Motions to Dismiss, filed October 25, 2017
2. Order Denying David Wingo’s Motion to Alter or Amend the October 25, 2017 Order, filed January 10, 2018
3. Order Denying Defendants’ Motions for Summary Judgment, filed October 13, 2021
4. Form 4 Order denying Defendants’ Motion to Alter or Amend the Judgment, filed November 16, 2021

5. Order Denying in Part and Granting in part the Defendant's Posttrial Motions, filed July 11, 2022
6. Order Denying David Wingo's Motion to Reconsider, filed August 22, 2022

Judgements/Verdict Forms

1. Verdict Form, filed March 25, 2022

Pleadings

1. Complaint, filed June 15, 2017
2. Wingo Defendants' Answer, filed November 17, 2017
3. Wingo Defendants' Amended Answer, filed October 2, 2020

Motions, Supporting Memoranda, & Other Filings

1. Wingo Defendants' Motion for Summary Judgment, filed July 2, 2021
2. Wingo Defendants' Memorandum in Support of Motion for Summary Judgment and accompanying exhibits, filed September 22, 2021
 - a. Exhibit R, the confidential Clemson Settlement, filed under seal
 - b. Exhibit P excluded
3. Plaintiff's Memorandum in Opposition to Wingo Defendants' Motion for Summary Judgment and accompanying exhibits, filed September 30, 2021
4. Defendants' Motion to Alter or Amend the Judgment and Memorandum in Support of Their Motion, filed October 22, 2021
5. Plaintiff's Memorandum of Law in Support of Plaintiff's Opposition to Defendants' Motion to Alter or Amend the Judgment, filed November 12, 2021
6. Plaintiff's Motion in Limine to Exclude the Presentation of or Reference to Clemson's Title IX Decision or Plaintiff's Settlement with Clemson as Part of Defendants' Defense at Trial, filed on March 14, 2022
7. Plaintiff's Motion in Limine to Exclude the Presentation of or Reference to Testimony of Alesia Smith, filed on March 14, 2022
8. Defendant Colin J. Gahagan Posttrial Motions, filed March 30, 2022

9. Wingo Defendants' Motion for JNOV or Judgment as a Matter of Law or, in the Alternative, for a New Trial Absolute or, in the Alternative, for Remittitur of Verdict, filed April 4, 2022
10. Plaintiff's Memorandum of Law in Support of Opposition to Defendants' Motion for JNOV or Judgment as a Matter of Law or, in the Alternative, for a New Trial Absolute or, in the Alternative, for Remittitur of Verdict, filed April 14, 2022
11. Defendant David Wingo's Motion to Reconsider Order Denying JNOV and/or New Trial, filed July 20, 2022
12. Plaintiff's Memorandum in Support of Opposition to Defendant David Wingo's Motion to Reconsider Order Denying JNOV and/or New Trial, filed August 12, 2022

Transcripts

1. Excerpts from David Wingo Deposition Transcript and referenced exhibits, February 21, 2021
 - a. 145
 - b. 160-61
2. Excerpts from Andrew Pampu Deposition Transcript and referenced exhibits, January 16-17, 2021
 - a. 243
 - b. 252
 - c. 256-57
 - d. 265
3. Pretrial Hearing Transcript, March 18, 2022
4. Trial Transcript, March 21-25, 2022
5. Posttrial Hearing Transcript, May 4, 2022

Other Materials

1. Plaintiff's Trial Exhibits
 - a. 1
 - b. 4
 - c. 5
 - d. 6
 - e. 7
 - f. 10
 - g. 11

- h. 12
- i. 14
- j. 14
- k. 15
- l. 16
- m. 17
- n. 18

6. Exhibit A from Alesia Smith's Deposition, May 22, 2020

7. Text messages C.J. Gahagan / Erin Wingo

- a. October 25, 2015
 - i. 4:40:51 a.m. (UTC+0)
 - ii. 4:42:44
 - iii. 4:44:21
 - iv. 4:45:49
 - v. 4:49:42
 - vi. 4:50:50
 - vii. 4:56:27
 - viii. 5:00:22
 - ix. 5:02:39
 - x. 5:03:54
 - xi. 5:05:03
 - xii. 5:09:36
 - xiii. 5:11:44

8. Text messages from Drew Pampu

- a. October 25, 2015
 - i. 3:31 a.m.

9. Text messages C.J. Gahagan / Drew Pampu

- a. October 25, 2015
 - i. 9:48:37 p.m. (UTC+0)
 - ii. 3:43:11
 - iii. 3:47:06
 - iv. 3:57:17
 - v. 3:58:49

10. Text messages C.J. Gahagan to Fraternity pledges

- a. October 26, 2015
 - i. 2:47 p.m.

11. Reply text Drew Pampu to C.J. Gahagan

a. October 26, 2015

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April 14, 2023