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Apr 27 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

William P. Keesley, Circuit Court Judge

Appellate Case No. 2023-000143  
Civil Action No. 2020-CP-32-00146

CONSTANCE MAYERS as Personal  
Representative for the Estate of  
Darrius "George" Dreher,

Appellant,

v.

Logan Bird, Samuel Bird, James  
Coleman Hunter, Ayden Phillips,  
Kenneth Cole Godley, Dominion  
Energy South Carolina, Inc., Mark  
McMillan, and Kimberly McMillan,  
Defendants,

Respondent.

of whom AYDEN PHILLIPS is the

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

Appellant proposes the following be included in the Record on Appeal:

1. February 15, 2022 Order Denying Ayden Phillips' Motion for Summary Judgment;
2. December 28, 2022 Order Granting Ayden Phillips' Renewed Motion for Summary Judgment;
3. January 9, 2020 Summons and Complaint;
4. January 16, 2020 Amended Summons and Complaint;
5. February 3, 2020 Answer of Ayden Phillips;

6. November 17, 2021 Ayden Phillips' Motion for Summary Judgment;
7. January 17, 2022 Response in Opposition to Ayden Phillips' Motion for Summary Judgment, including the following attachments:
  - a. the September 14, 2020 Deposition of Logan Bird;
  - b. the April 22, 2021 Deposition of Graci Jane Conner;
  - c. the February 18, 2021 Deposition of Haley Alexandra Davis;
  - d. the August 12, 2020 Deposition of Kenneth Cole Godley;
  - e. the September 14, 2020 Deposition of Lisa Phillips;
  - f. the April 2, 2021 Deposition of Austin Tyler Newman;
  - g. the February 18, 2021 Deposition of Allison Rider; and
  - h. the April 22, 2021 Deposition of Jenna Ann Sills.
8. January 18, 2022 Ayden Phillips' Memorandum in Support of His Motion for Summary Judgment;
9. June 2, 2022 Ayden Phillips' Memorandum in Support of His Renewed Motion for Summary Judgment, including the following attachments:
  - a. the April 7, 2022 Deposition of Joseph Ayden Phillips, III pp. 1, 9–11, 15–19, 21–24, 29–30, 34, 36–39, 53, 62;
  - b. the April 22, 2021 Deposition of Kenneth Lee Prater, III pp. 6–10, 13;
  - c. and the December 2, 2020 Deposition of Timothy Paul Seybt, MD pp. 8–9, 12, 15, 19–23, 33–34).
10. June 10, 2022 Plaintiff's Memorandum in Opposition to Ayden Phillips' Renewed Motion for Summary Judgment;
11. June 14, 2022 Ayden Phillips' Reply to Plaintiff's Response to His Renewed Motion for Summary Judgment;
12. May 23, 2022 Ayden Phillips' Renewed Motion for Summary Judgment;
13. January 27, 2023 Notice of Appeal;
14. June 14, 2022 Transcript of Hearing;
15. April 7, 2022 Deposition of Joseph Ayden Phillips, pp. 13–14.

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

April 27, 2023

**[SIGNATURE ON FOLLOWING PAGE]**

April 27, 2023

Respectfully submitted,

**POULIN | WILLEY | ANASTOPOULO,  
LLC**

s/ Angeline M. Larrivee

Angeline M. Larrivee (S.C. #105466)

Roy T. Willey, IV (S.C. #101010)

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of whom AYDEN PHILLIPS is the

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**PROOF OF SERVICE**

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Pursuant to Rule 262(c), SCACR, I certify that I have served Appellant's Designation of Matter on Respondent by Electronic Mail and by placing a copy in the U.S. Mail, postage prepaid, on April 27, 2023, addressed to Respondent's attorney of record, Catharine Garbee Griffin of Baker Ravenel & Bender, LLP, P.O. Box 8057, Columbia, SC 29202.

**[SIGNATURE ON FOLLOWING PAGE]**

Respectfully submitted,

**POULIN | WILLEY | ANASTOPOULO,  
LLC**

s/ Angeline M. Larrivee

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April 27, 2023

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## Transportation & Insurance Liability Division

April 27, 2023

**VIA U.S. MAIL and E-MAIL [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)**

The Honorable Jenny Abbott Kitchings  
Clerk of Court, S.C. Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

RE: *Constance Mayers v. Logan Bird*  
*Appellate Case No.: 2023-000143*

\*OF COUNSEL

Dear Ms. Kitchings:

Attached for filing, please find Appellant's Initial Brief and Appellant's Designation of Matter with their associated proofs of service. Please let us know if you need any additional information.

Sincerely,

s/Angeline Larrivee

Cc: Catharine Garbee Griffin (via mail and e-mail)  
Baker Ravenel & Bender, LLP  
P.O. Box 8057  
Columbia, SC 29202

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