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**Jun 26 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 McMillian, and Kimberly  
McMillian, Defendants,

of whom AYDEN PHILLIPS is the

Respondent.

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

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

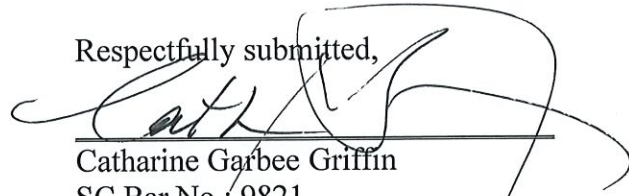
1. May 23, 2022 Ayden Phillips’ Renewed Motion for Summary Judgment;
2. June 2, 2022 Ayden Phillips’ Memorandum in Support of His Renewed Motion for Summary Judgment, including the following attachments:
  - a. the April 7, 2022 Deposition of Joseph Ayden Phillips, III pp. 1, 9–11, 15–19, 21–24, 29–30, 34, 36–39, 53, 62;

- b. the April 22, 2021 Deposition of Kenneth Lee Prater, III pp. 6—10, 13; and
  - c. the December 2, 2020 Deposition of Timothy Paul Seybt, MD pp. 8—9, 12, 15, 19—23, 33—34.
3. June 10, 2022 Plaintiff's Memorandum in Opposition to Ayden Phillips' Renewed Motion for Summary Judgment;
4. June 14, 2022 Ayden Phillips' Reply to Plaintiff's Response to His Renewed Motion for Summary Judgment;
5. June 14, 2022 Transcript of Hearing;
6. December 28, 2022 Order Granting Ayden Phillips' Renewed Motion for Summary Judgment;
7. January 27, 2023 Notice of Appeal;
8. January 9, 2020 Summons and Complaint;
9. January 16, 2020 Amended Summons and Complaint;
10. February 3, 2020 Answer of Ayden Phillips;
11. November 17, 2021 Ayden Phillips' Motion for Summary Judgment;
12. January 17, 2022 Response in Opposition to Ayden Phillips' Motion for Summary Judgment, including the following attachments:
  - a. the August 12, 2020 Deposition of Kenneth Cole Godley;
  - b. the September 14, 2020 Deposition of Logan Bird;
  - c. the September 14, 2020 Deposition of Lisa Phillips;
  - d. the February 18, 2021 Deposition of Haley Alexandria Davis;
  - e. the February 18, 2021 Deposition of Allison Rider;
  - f. the April 2, 2021 Deposition of Austin Tyler Newman;
  - g. the April 22, 2021 Deposition of Graci Jane Conner;
  - h. the April 22, 2021 Deposition of Jenna Ann Sills;
13. January 18, 2022 Ayden Phillips' Memorandum in Support of His Motion for Summary Judgment;
14. February 15, 2022 Order Denying Ayden Phillips' Motion for Summary Judgment;
15. March 15, 2022 Scheduling Order Issued by Judge McLeod;
16. The following depositions:

- a. the December 2, 2020 Deposition of Timothy Paul Seybt, MD;
- b. the April 22, 2021 Deposition of Kenneth Lee Prater;
- c. the April 7, 2022 Deposition of Joseph Ayden Phillips.

I certify that this designation contains no matter which is not relevant to this appeal.

Respectfully submitted,



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Columbia, South Carolina  
June 26, 2023

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Logan Bird, Samuel Bird, James Coleman  
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Godley, Defendants,

of whom AYDEN PHILLIPS is the

Respondent.

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**PROOF OF SERVICE**

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Pursuant to Rule 262 ( c), SCACR, I certify that I have served Respondent’s Designation of Matter on Appellant by Electronic Mail and by placing a copy in the U.S. Mail, postage prepaid, on June 26, 2003, addressed to Appellant’s attorney of record, Angeline M. Larrivee, Roy T. Willey, IV, Eric M. Poulin, and Joseph E. Thoensen of Poulin|Willey|Anastopoulo, LLC, 32 Ann Street, Charleston, SC 29403 and Kenneth G. Goode, Jr. of Law Office of Kenneth G. Goode, Jr., LLC, 4 Carriage Lane, Suite 204, Charleston, SC 29407.

[SIGNATURE ON FOLLOWING PAGE]

Respectfully submitted,

BAKER RAVENEL & BENDER, LLC

  
s/ Catharine Garbee Griffin

Catharine Garbee Griffin

S.C. Bar No.: 9821

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