

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas
R. Kirk Griffin, Circuit Court Judge

Civil Action No. 2019-CP-43-02375

Appellate Case No. 2023-000074

Ex Parte: Liberty Mutual Insurance Company and Horace Mann Property and Casualty Insurance
Company, Respondents,

In Re:

Howell D. Thompson and Tara L. Thompson,

Appellants,

v.

Carlos D. Toney

Defendant

**RESPONDENT HORACE MANN PROPERTY AND CASUALTY INSURANCE
COMPANY'S DESIGNATION OF MATTER**

BROWN & BREHMER
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ATTORNEYS FOR RESPONDENT
HORACE MANN PROPERTY AND
CASUALTY INSURANCE COMPANY

Pursuant to Rule 209, SCACR, Appellant Donegal Insurance designates the following material for inclusion in the record on appeal. The undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that the designation contains no matter which is irrelevant to this appeal.

1. Summons and Complaint, filed December 5, 2019
2. Certificate of Service of Horace Mann, filed December 19, 2019
3. Certificate of Service of Liberty Mutual, filed December 20, 2019
4. Notice of Appearance of Liberty Mutual and Answer, filed January 2, 2020
5. Answer of Horace Mann, filed January 7, 2020
6. Amended Answer of Liberty Mutual, filed February 20, 2020
7. Liberty Mutual's Motion to Change Venue, filed March 23, 2020
8. Plaintiffs' Response to Motion to Change Venue and exhibit, filed March 26, 2020
9. Liberty Mutual's Memorandum in Support of Motion to Change Venue, filed June 17, 2020
10. Liberty Mutual's Supplemental Memorandum in Support of Motion to Change Venue and exhibits, filed July 8, 2020
11. Plaintiffs' Memorandum in Opposition to Motion to Change venue and exhibits, filed July 10, 2020
12. July 22, 2020 Hearing Transcript
13. Order, filed July 24, 2020
14. Consent Scheduling Order, filed September 21, 2020
15. Second Consent Scheduling Order, filed March 4, 2021
16. Consent Motion to Extend Scheduling Order, filed May 26, 2021
17. Third Scheduling Order, filed June 1, 2021
18. Plaintiffs' Motion for Protective Order, filed July 14, 2021

19. July 14, 2021 Hearing Transcript
20. Order Granting Motion for Protection, filed July 15, 2021
21. Order, July 22, 2021
22. Consent Motion to Extend Scheduling Order, filed September 15, 2021
23. Fourth Scheduling Order, filed September 15, 2021
24. Liberty Mutual's Motion to Dismiss or, in the alternative, Motion for Summary Judgment, filed October 26, 2021
25. Horace Mann's Motion to Dismiss, filed October 29, 2021
26. Proof of ADR, filed November 8, 2021
27. Liberty Mutual's Memorandum in Support of Motion to Dismiss or, in the alternative, Motion for Summary Judgment, filed November 30, 2021
28. Plaintiffs' Memorandum in Opposition to Motion to Dismiss, or in the alternative, Motion for Summary Judgment, filed December 15, 2021
29. Liberty Mutual's Reply to Plaintiffs' Memorandum and exhibits, filed December 21, 2021
30. Liberty Mutual's Motion for Continuance, filed January 4, 2022
31. Order Granting Continuance, filed January 6, 2023
32. January 6, 2022 Hearing Transcript
33. Plaintiffs' Supplemental Memorandum in Opposition with exhibits, filed January 27, 2022
34. Liberty Mutual's Reply, filed February 14, 2022
35. The Honorable R. Kirk Griffin's Order of Dismissal, filed August 29, 2022
36. Plaintiffs' Motion to Alter or Amend with exhibit H, filed September 7, 2022
37. Liberty Mutual's Memorandum in Opposition, filed September 23, 2022
38. The Honorable R. Kirk Griffin's Order Denying Plaintiffs' Motion to Alter or Amend, filed December 21, 2022

39. Notice of Appeal, filed January 19, 2023
40. Proof of Service for Notice of Appeal, dated January 19, 2023

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s/Andrew C. Brehmer

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Attorneys for Respondent Horace Mann

Property and Casualty Insurance Company,

the underinsured motorist carrier

Columbia, South Carolina
July 12, 2023

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PROOF OF SERVICE

I certify that a true copy of Respondent Horace Mann Property and Casualty Insurance Company's Designation of Matter in this case has been served on the following, this 12th day of July 2023, by emailing a copy to each attorney listed below using their primary email address listed in the Attorney Information System pursuant to Rule 262 of the South Carolina Appellate Court Rules and the May 6, 2022, Order of the South Carolina Supreme Court (Appellate Case No. 2020-000447):

Served email addresses to appear on following page.

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SC Court of Appeals

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