

RECEIVED

Sep 06 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Appellate Case No. 2023-000780
Case No. 2018-CP-40-04841

Bierer and Associates, Inc.,

Appellant,

v.

Jan F. Kennerly, Jr., Danielle Kennerly,
EUSA, LLC, J&D Farms, LLC, Trystar LLC;
Travis Pattern & Foundry, Inc.; Illinois Tool
Works, Inc.; and David Deinek,

Of whom, Trystar LLC and Travis Pattern &
Foundry Inc. are

Respondents.

AND

Jan F. Kennerly, Jr.,

Defendant/Third Party
Plaintiff,

v.

Walter Bierer, Brent Jeffries, and Joseph Bierer,

Third Party Defendants.

DESIGNATION OF MATTER

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

ORDERS

Form 4 Order Granting Summary Judgment to Travis Pattern & Foundry, Inc. and Trystar LLC, January 6, 2023

Order Granting Summary Judgment to Travis Pattern & Foundry, Inc and Trystar LLC, February 6, 2023

Form 4 Order Denying Plaintiff's Motion to Reconsider, April 3, 2023

Order Denying Plaintiff's Motion to Reconsider, May 5, 2023

PLEADINGS

Summons and Complaint, September 11, 2018

Bierer's Third Amended Complaint, April 15, 2021

MOTIONS

Defendant Travis Pattern & Foundry, Inc.'s Motion for Summary Judgment, with exhibits, September 28, 2022

Defendant Trystar, LLC's Motion for Summary Judgment and Memorandum of Law in Support, with exhibits, October 26, 2022

Plaintiff's Response in Opposition to Travis Pattern & Foundry, Inc.'s Motion for Summary Judgment, with exhibits, December 28, 2022

Plaintiff's Response in Opposition to Trystar LLC's Motion for Summary Judgment, with exhibits, December 28, 2022

Defendant Trystar, LLC's Reply in Support of Its Motion for Summary Judgment Based on the Statue of Limitations, December 30, 2022

Defendant Travis Pattern & Foundry, Inc.'s Reply in Support of Motion for Summary Judgment, January 3, 2023

Plaintiff's Motion to Reconsider, February 16, 2023

Defendant Travis Pattern & Foundry Inc.'s Response in Opposition to Bierer and Associates, Inc.'s Motion to Reconsider, February 23, 2023

Defendant Trystar's Response in Opposition to Plaintiff's Motion to Reconsider, February 23, 2023

Plaintiff's Supplement to Motion to Reconsider, with exhibit, March 31, 2023

OTHER

Notice of Appeal, May 09, 2023

Transcript of January 4, 2023 hearing; pages 12-24, 27-30, 39-42

Transcript of March 30, 2023 hearing; pages 2-17, 29-31

I certify pursuant to Rule 209(c), SCARCR, that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

By: s/ James M. Griffin
James. M. Griffin, SC Bar No. 9995
Margaret N. Fox, SC Bar No. 76228
GRIFFIN HUMPHRIES LLC
4408 Forest Drive, Suite 300
Columbia, South Carolina 29206
T: (803) 744-0800
jgriffin@griffinhumphries.com
mfox@griffinhumphries.com

*Attorneys for Appellant Bierer and Third Party
Defendants Walter Bierer, Joseph Bierer, & Brent
Jeffries*

September 6, 2023
Columbia, South Carolina