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Sep 15 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

William A. McKinnon, Circuit Court Judge
Case No.: 2022-CP-46-03676

Appellate Case No. 23-000859

Nathaniel Shell,.....Respondent,

v.

Law Office of Neil T. Phillips, LLC and
Neil T. Phillips.....Appellants.

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

COPELAND, STAIR, VALZ & LOVELL, LLP

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By: s/Douglas W. MacKelcan
DOUGLAS W. MACKELCAN
State Bar No.: 76332
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State Bar No.: 105136
Attorneys for Appellants

Pursuant to Rule 209, SCACR, Appellants designate the following to be included in the Record on Appeal:

1. Summons and Complaint, dated December 8, 2022;
2. Defendants' Motion to Dismiss, dated January 6, 2023;
3. Plaintiff's Motion to Extend Time, dated February 9, 2023;
4. Memorandum in Support of Defendants' Motion to Dismiss, dated March 7, 2023;
5. Memorandum in Opposition to Plaintiff's Motion to Extend Time with Exhibits, dated March 7, 2023;
6. Order Granting Motion to Dismiss and Denying Motion to Extend Time, dated March 28, 2023;
7. Defendants' Notice of Motion and Motion to Reconsider, dated April 6, 2023;
8. Memorandum of Law in Support of Defendants' Motion to Reconsider, dated April 6, 2023;
9. Form 4 Order Denying Motion to Reconsider, dated April 25, 2023;
10. Transcript of Record for Hearing on March 9, 2023;
11. Notice of Appeal, dated May 25, 2023;
12. Amended Notice of Appeal, dated May 25, 2023;
13. Notice of Cross-Appeal, dated June 2, 2023;
14. Amended Notice of Cross-Appeal, dated June 12, 2023;
15. South Carolina Court of Appeals Order granting Respondent's Request to Withdraw His Appeal, dated June 30, 2023.

The undersigned counsel certifies pursuant to Rule 209(c), SCACR, the Designation contains no matter which is irrelevant to this appeal.

[SIGNATURE PAGE TO FOLLOW]

This 15th day of September, 2023.

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Nathaniel Shell,..... Respondent,

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Law Office of Neil T. Phillips, LLC and
Neil T. Phillips..... Appellants.

PROOF OF SERVICE

I certify that I have served Appellants' *Designation of Matter to be Included in the Record on Appeal* upon the parties below by electronic mail, addressed as follows:

D. Alan Lazenby, Esq.
Lazenby Law Firm, LLC
P.O. Box 6099
Spartanburg, SC 29304
alan@lazenbylawfirm.com
Attorney for Appellant

This 15th day of September, 2023.

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REPLY TO SC OFFICE

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September 15, 2023

VIA EMAIL ONLY

Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
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Re: Nathaniel Shell v Law Office of Neil T. Phillips, LLC; and Neil T. Phillips
York County Case No.: 2022-CP-46-03676
Appellate Case No.: 23-000859
CSVL File No: 5457-64793

Dear Ms. Kitchings:

Enclosed please find Appellants Law Office of Neil T. Phillips, LLC, and Neil T. Phillips's *Initial Brief* and *Designation of Matter to be Included in the Record on Appeal* in this case, together with Proof of Service. By copy of this letter, and we are providing copies of the same to Repondent's counsel. If anything further is required from Appellants at this time, please advise

Sincerely,

s/Douglas W. MacKelcan

DOUGLAS W. MACKELCAN
TAYLOR L. CARY

DWM:tjr

enclosure: *Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal*
cc: D. Alan Lazenby, Esq. w/encl: via email: alan@lazenbylawfirm.com