

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas for the First Circuit

The Honorable Diane S. Goodstein

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Case No.: 2022-CP-18-00295  
Appellate Case No.: 2023-000655

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LAURA ABERNATHY.....Plaintiff /*Appellant*,

v.

ERVIN W. LAMBERT, SR., PERSONAL REPRESENTATIVE OF THE ESTATE OF ERVIN  
E. LAMBERT, JR., DECEASED.,.....*Defendant/Respondent*.

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DESIGNATION OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL

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Appellant asserts the following documents, with all supporting exhibits, should be  
included in the Record on Appeal:

**ORDERS**

1. Consent Order of Dismissal (40)(j) (Hon. Diane S. Goodstein) filed September 30, 2021;
2. Consent Order to Restore (Hon. Diane S. Goodstein) filed February 15, 2022;
3. Order Denying Plaintiff’s Motion to Amend and for Joinder (Hon. Diane S. Goodstein) filed December 19, 2022;
4. Form 4 Order Denying Motion for Summary Judgement (Hon. Diane S. Goodstein) filed February 23, 2023;

5. Order Denying Defendant's Motion to Dismiss (Hon. Diane S. Goodstein) filed November 10, 2020;
6. Form 4 Denying Motion to Consolidate (Hon. Diane S. Goodstein) filed April 12, 2023;

### **MOTIONS**

1. Plaintiff's Memorandum in Opposition to Motion to Dismiss (with all supporting exhibits dated July 13, 2020);
2. Motion to Amend (with all supporting exhibits) dated September 20, 2022;
3. Plaintiff's Memo in Opposition to Motion for Summary Judgment (with all supporting exhibits) dated February 10, 2023;
4. Defendant's Memorandum in Support of Motion for Summary Judgment (with all supporting exhibits) dated February 6, 2023;
5. Motion to Amend (with all supporting exhibits) dated March 9, 2023;
6. Motion to Consolidate (with all supporting exhibits) dated March 17, 2023;
7. Plaintiff's Memo in Support of Motion to Consolidate (with all supporting exhibits) dated April 5, 2023;

### **PLEADINGS**

1. Summons and Complaint (with all supporting exhibits) filed June 12, 2020;
2. Answer and Counterclaim (with all supporting exhibits) filed December 3, 2020;
3. Amended Summons and Amended Complaint (Wrongful Termination suit) (with all supporting exhibits) filed March 16, 2023;

### **TRANSCRIPTS**

1. 10-4-2022 Hearing Transcript;
2. 4-6-23 Hearing Transcript;
3. Deposition Transcript of Laura Abernathy;
4. Deposition Transcript of Eileen Kolpack;
5. Deposition Transcript of Ervin Lambert;

### **OTHER**

1. Affidavit of Eileen Kolpack

2. Closing documents
3. Notice of Appeal

I certify this designation contains no matter irrelevant to this appeal.

**EPTING & RANNIK, LLC**

September 15<sup>th</sup>, 2023  
Charleston, South Carolina

/s/ Jaan Rannik  
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*ATTORNEYS FOR PLAINTIFF/APPELLANT*