

IN THE STATE OF SOUTH CAROLINA

In the South Carolina Court of Appeals

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

Alexander S. Macaulay, Circuit Court Judge

Case No. 2009-CP-37-0768

James D. Fowler,Respondent,

v.

Nationwide Mutual Fire Insurance Company and Andrew Flanagan, ..Defendants,

Of Whom,

Nationwide Mutual Fire Insurance Company,Appellant.

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

Appellant Nationwide Mutual Fire Insurance Company proposes the following to be included in the Record on Appeal:

1. Order Denying Defendant’s Post Trial Motions filed on February 22, 2012.
2. Order Granting Attorneys’ Fees filed on September 13, 2012.
3. Order Denying Defendant’s Rule 59(e) Motion to Alter or Amend filed on October 3, 2012.
4. Verdict of December 2, 2011.
5. Summons and Complaint filed on June 22, 2009.
6. Answer on Behalf of Defendants filed on July 17, 2009.
7. Defendant’s Motion in Limine to Exclude the Cause and Original Opinion Testimony of David Wright filed on November 21, 2011.

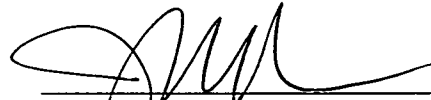
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SC Court of Appeals

8. Defendant's Memorandum in Support of Their Motion in Limine to Exclude the Cause and Origin Opinion Testimony of David Wright filed on June 21, 2011.
9. Defendant's Motion in Limine to Exclude Testimony of Plaintiff's Expert Doug Ross filed on June 21, 2011.
10. Defendant's Memorandum in Support of Their Motion in Limine to Exclude Testimony of Plaintiff's Expert Doug Ross filed on June 21, 2011.
11. Nationwide Mutual Fire Insurance Company's Motions for New Trial or New Trial Nisi Remittitur and for Judgment Notwithstanding the Verdict filed on December 13, 2011.
12. Memorandum in Support of Nationwide Mut. Fire Insurance Company's Motions for a New Trial, New Trial Nisi Remittitur and JNOV filed on December 14, 2011.
13. Memorandum in Opposition to Defendant Nationwide's Post Trial Motions filed on December 20, 2011.
14. Defendant's Reply to Plaintiff's Memorandum in Opposition to Defendant Nationwide's Post Trial Motions.
15. Plaintiff's Motion for Attorney's Fees filed on December 21, 2011.
16. Defendant Nationwide's Motion in Opposition to Plaintiff's Motion for Attorney's Fees filed on January 17, 2012.
17. Nationwide's Supplemental Memorandum in Opposition to Plaintiff's Motion for Attorney's Fees filed on February 24, 2012.
18. Rule 59(e) Motion to Alter or Amend filed on March 8, 2012.
19. Memorandum in Support of Defendant's Motion to Alter or Amend filed on March 8, 2012.
20. Plaintiff's Memorandum in Opposition to Defendant's Rule 59(e) Motion to Alter or Amend filed on March 22, 2012.
21. Notice of Appeal filed on October 24, 2012.
22. Trial Transcript: 1-114; 130-164; 174-221; 291-292; 298-299; 303-305; 322; 327-333; 345; 348; 350; 354; 348; 366; 378-380; 393-398; 401-403; 407-409; 413; 417; 443; 454-455; 461-462; 466; 486-487; 492-494; 496-497; 501-502; 506-511; 525-526; 528-529; 533-541; 542-637; 643-645; 649-651; 654; 676-677; 679-684; 707-727; 732-812; 813-846; 847-877; 890-891; 898-992; 1029-1042.

23. Plaintiff's Trial Exhibit 6, Truck Report.
24. Plaintiff's Trial Exhibit 16, Truck Report.
25. Plaintiff's Trial Exhibit 19, Insurance Policy.
26. Plaintiff's Trial Exhibit 30, Property Loss Report Form.
27. Plaintiff's Answers to Defendants Interrogatories dated September 11, 2009.



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July 22, 2013

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PROOF OF SERVICE

I certify that I have served the Appellant's Initial Brief and Designation of Matter on James D. Fowler by depositing a copy of it in the United States Mail, postage prepaid, on July 22, 2013, addressed to his attorney of record, Clinch H. Belser, Esquire, 1901 Main Street, Suite 1550, Columbia, South Carolina 29202.



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