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Jan 03 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

The Honorable J. Mark Hayes, II, Circuit Court Judge

Trial Court Case No. 2018CP3600089
Appellate Case No. 2023-001162

Lisa Summer Rice and Joseph F. Rice..... Appellants,

v.

Newberry Lions Club and Betty S. Amick, as Personal Representative of the Estate of C.
Ray Amick, Respondents.

**DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON
APPEAL BY RESPONDENT BETTY S. AMICK, AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF C. RAY AMICK**

Respondent Betty S. Amick, as Personal Representative of the Estate of C. Ray Amick,
hereby designates the following matter to be included in the Record on Appeal:

Trial Record

1. Transcript of Record from May 31, 2022 (Day 1) and June 1, 2022 (Day 2);
2. The deposition testimony designated and/or counter-designated and published at trial from the following depositions:
 - a. Ladson Heath Simpson depositions dated 10/22/2018 and 6/29/2020;
 - b. Clyde Eugene Crocker, Junior depositions dated 10/22/2018 and 6/18/20;
 - c. Carroll Ray Amick dated 11/30/2018 and 6/17/2020;
 - d. Lisa Rice; and

- e. Joseph Rice.
3. The Trial Exhibits admitted at trial:
 - i. Marked as Plaintiffs' Exhibits P-1– P-5; P-5A; P-5B; P-6– 10; P-12– P-23; P-26– P-30; P-32; P-34– P-41; P-43; P-46.
 - ii. Marked as Defendant's exhibits D-1–D-7;
 - iii. Marked as Court's exhibits C-1–C-6;

Orders

4. July 17, 2019 Form 4 Order granting in part Amick's Motion to Strike Legal Conclusions from the Spitz affidavits;
5. July 31, 2019 Form 4 Order Denying Motions for Summary Judgment;
6. December 3, 2019 Order Establishing Complex Case Designation;
7. December 9, 2020 Order Granting Amick's Motion for Partial Summary Judgment;
8. December 8, 2021 Order Granting Plaintiffs' Motion to Alter or Amend the December 9, 2020 Order;
9. September 2, 2022 Form 4 Order (Trial Decision);
10. November 25, 2022 Order in Favor of Amick and Lions Club on Multiple Claims;
11. May 16, 2023 Form 4 Order Denying Plaintiffs' Motion to Reconsider;
12. June 22, 2023 Order Denying Plaintiffs' Motion to Reconsider;

Pleadings

13. February 20, 2018 Summons and Complaint;
14. February 21, 2018 Lis Pendens;
15. August 31, 2021 Fifth Amended Summons and Complaint;
16. May 24, 2022 Amick's Second Amended Answer to Plaintiffs' Fifth Amended Complaint;
17. May 26, 2022 Lions Club's Answer to Fourth and Fifth Amended Complaints;

Motions and Memoranda
(with Exhibits)

18. February 8, 2019 Amick's Motion for Partial Summary Judgment;
19. March 1, 2019 Amick's Motion to Strike Affidavit of Spitz;
20. May 1, 2019 Amick's Motion to Strike the Supplemental Affidavit of Spitz;
21. June 17, 2019 Amick's Memorandum of Law in support of his Motion for Partial Summary Judgment;
22. August 29, 2019 Amick's Motion to Bifurcate;
23. August 13, 2020 Amick's Motion for Partial Summary Judgment;
24. August 25, 2020 Amick's Motion to Strike Expert Affidavit;
25. December 18, 2020 Plaintiffs' Motion to Alter or Amend the December 9, 2020 Order Granting Partial Summary Judgment;
26. June 15, 2021 Amick's Response to Plaintiffs' Motion to Alter or Amend the December 9, 2020 Order;
27. November 4, 2022 Plaintiffs' Motion to Alter or Amend or Reconsider;
28. January 18, 2023 Amick's Response to Plaintiffs' Motion for Reconsideration;
29. July 10, 2023 Plaintiffs' Notice of Appeal.

[Signatures on Following Page]

Rule 209 (c), SCACR Certification

I certify the foregoing Designation of Matter to be included in the Record on Appeal contains no matter which is irrelevant to this appeal.

s/ Demetri K. Koutrakos

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**ATTORNEYS FOR RESPONDENT BETTY S.
AMICK, AS PERSONAL REPRESENTATIVE
OF THE ESTATE OF C. RAY AMICK**

January 3, 2024