

**RECEIVED**

**Jan 22 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM UNION COUNTY  
Court of Common Pleas

Daniel D. Hall, Circuit Judge

---

Appellate Case No. 2023-000572

Civil Action No. 2019CP4400002

---

Fast Formliners Company, .....Appellant/Respondent,

v.

Construction Resource Group, Inc.....Respondent/Appellant.

---

**APPELLANT/RESPONDENT FAST FORMLINERS COMPANY’S  
MOTION TO AMEND ITS DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

---

Appellant/Respondent Fast Formliners Company filed its Designation of Matter to be Included in the Record on Appeal on September 5, 2023. Its Designation of Matter filed with its Initial Reply Brief was filed on November 28, 2023. Further, Appellate/Respondent filed its Designation of Matter to be Included in the Record on Appeal taken by Respondent/Appellant on December 6, 2023.

In addition to its filed Designations of Matter, Appellant/Respondent filed a Motion for Order or Transport on December 6, 2023. The Motion sought, and this Court’s December 28, 2023 Order (“Order”) directed, that the Union County Clerk release “Plaintiff’s Trial Exhibit 5, Videos on Flash Drive to be transported to this Court...”. Although the description of the exhibit

was correct in the Motion and Order, the exhibit number was inadvertently written as Plaintiff's Trial Exhibit 5 instead of Plaintiff's Trial Exhibit 6. By letter dated January 22, 2024, counsel for Appellate/Respondent notified this Court of this error and requested that the Court reissue the Order to reflect that Plaintiff's Trial Exhibit 6, be subject to the Order.

Appellate/Respondent inadvertently failed to list **Plaintiff's Trial Exhibit 6, Videos on Flash Drive** in its Designations of Matter to be Included in the Record on Appeal and is now requesting that the Designation of Matter be amended to include Plaintiff's Trial Exhibit 6. As was stated in the January 22, 2024 letter, counsel for Respondent-Appellant has been informed of this request and has no objection to it.

Appellant/Respondent current deadline of January 29, 2024 by which the Record on Appeal must be served on Respondent/Appellant. Because this Court's consideration and decision regarding the Order of Transport letter of January 22, 2024 and this Motion to Amend its Designation of Matter to be Included in the Record on Appeal, Appellant/Respondent respectfully requests that the deadline for service of the Record on Appeal be held in abeyance until the court renders its decision on these matters.

s/Christopher B. Major  
Thomas H. Coker, Jr., Esquire  
Christopher B. Major, Esquire  
Haynsworth Sinkler Boyd, PA  
ONE North Main, 2<sup>nd</sup> Floor (29601)  
P.O. Box 2048  
Greenville, SC 29602  
O: (864) 240-3200  
F: (864) 240-3300  
[tcoker@hsblawfirm.com](mailto:tcoker@hsblawfirm.com)  
[cmajor@hsblawfirm.com](mailto:cmajor@hsblawfirm.com)

January 22, 2024  
Greenville, South Carolina

*Attorneys for Appellant/Respondent, Fast  
Formliners Company*

**RECEIVED**

**Jan 22 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM UNION COUNTY  
Court of Common Pleas

---

Daniel D. Hall, Circuit Judge

---

Appellate Case No. 2023-000572

Civil Action No.: 2019-CP-44-00002

---

Fast Formliners Company .....Appellant/Respondent,

v.

Construction Resource Group, Inc.....Respondent/Appellant.

---

**PROOF OF SERVICE**

---

I certify that I have served Appellant/Respondent’s Motion to Amend Its Designation of Matter to be Included in the Record on Appeal on all attorneys of record by electronic mail at the electronic address below on January 22, 2024.

Matthew E. Cox, Esq.  
SMITH CURRIE & HANCOCK, LLP  
1325 Park Street, Suite 200  
Columbia, S.C. 29201  
[mecox@smithcurrie.com](mailto:mecox@smithcurrie.com)

Steven Edward Buckingham, Esq.  
The Law Office of Steven Edward Buckingham  
16 Wellington Avenue  
Greenville, SC 29609  
[seb@buckingham.legal](mailto:seb@buckingham.legal)

**SIGNATURE APPEARS ON THE FOLLOWING PAGE.**

*Paula A. Lollis*

---

Paula Lollis, Paralegal  
Haynsworth Sinkler Boyd, PA  
ONE North Main, 2<sup>nd</sup> Floor (29601)  
P.O. Box 2048  
Greenville, S.C. 29602  
Telephone: 864.240.3200

**Jan 22 2024**

**SC Court of Appeals**

HAYNSWORTH SINKLER BOYD, P.A.  
ONE NORTH MAIN STREET, 2<sup>ND</sup> FLOOR  
P.O. BOX 2048 (29602)  
GREENVILLE, SOUTH CAROLINA 29601  
MAIN 864.240.3200  
FAX 864.240.3300  
www.hsblawfirm.com

**CHRISTOPHER B. MAJOR**  
DIRECT 864.240.3211  
cmajor@hsblawfirm.com

January 22, 2024

**VIA EMAIL AND U.S. MAIL**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: *Fast Formliners Company v. Construction Resource Group*  
Appellate Case No. 2023-000572; C. A. No. 2019-CP-44-00002  
HSB No. 41015.0001

Dear Ms. Kitchings:

Enclosed in connection with the above matter, pursuant to SCACR Rule 263(b), please find the Appellant-Respondent Fast Formliners Company's Motion to Amend Its Designation of Matter to Include in the Record on Appeal. Steven Buckingham, counsel for Respondent-Appellant Construction Resource Group, has consented to this request.

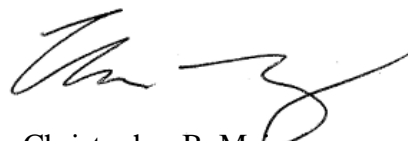
The Record on Appeal in this matter is due on January 29, 2024. In the meantime, we ask that the current filing deadline be stayed pending resolution of this request.

Enclosed with the mailed copy of this letter is our firm's check for the filing fee.

Please let us know if you need anything further or have questions.

Sincerely yours,

HAYNSWORTH SINKLER BOYD, P.A.



Christopher B. Major

CBM:prl  
Enclosures

cc: Steven Edward Buckingham, Esq. (Via email only with enclosures)