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**May 20 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BERKELY COUNTY  
Court of Common Pleas

Roger M. Young, Sr., Circuit Court Judge

Appellate Case No. 2023-001124

Rita R. Greenawalt and James M. Greenawalt, Appellants,

v.

Nissan North America, Inc., Respondent.

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

Appellants propose the following be included in the Record on Appeal:

1. Order regarding Summary Judgment,
2. Order compelling discovery,
3. Motion to compel discovery responses,
4. Gifford case handed up at the fees hearing,
5. Affidavit of C. Steven Moskos dated April 30, 2023, and
6. Nissan's Notice of Appeal.

I certify that this designation contains no matter which is irrelevant to this appeal.

May 20, 2024

*s/ Brooks R. Fudenberg*  
Brooks R. Fudenberg  
S.C. Bar No. 72109  
14 Ashe Street  
Charleston SC 29403  
843-696-8911  
Attorney for Appellants

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APPEAL FROM BERKELY COUNTY

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Appellate Case No. 2023-001124  
Lower Court Case No. 2020-CP-08-02455

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Rita R. Greenawalt and  
James M. Greenawalt,

Appellants,

v.

Nissan North America, Inc.,

Respondent.

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Proof of Service

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I certify that I served James and Rita Greenawalt's Supplemental Designation of Matter on Nissan North America, Inc., the Respondent in this matter, via email to its counsel of record, Sarah Eibling, Esq. at [sarah.eibling@nelsonmullins.com](mailto:sarah.eibling@nelsonmullins.com).

A copy of the email is attached.

May 20, 2024

s/ Brooks R. Fudenberg  
Brooks R. Fudenberg  
14 Ashe Street  
Charleston SC 29403  
843-696-8911  
Attorney for Appellants

**From:** [Brooks R. Fudenberg](#)  
**To:** [Blake Williams](#); [Sarah Eibling](#)  
**Cc:** [steve@moskoslawfirm.com](mailto:steve@moskoslawfirm.com)  
**Subject:** RE: Greenawalts v. Nissan, Appellate Case No. 2023-001124  
**Date:** Monday, May 20, 2024 7:47:05 PM  
**Attachments:** [Supp. Desig of Matter.pdf](#)

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Blake,

Please find attached Appellants' Supplemental Designation of Matter, which I hereby serve upon your client.

Thanks,

Brooks R. Fudenberg  
Law Office of Brooks R. Fudenberg, LLC  
14 Ashe Street  
Charleston SC 29403  
843-696-8911  
910-401-1242 (eFax)

THIS COMMUNICATION MAY CONTAIN CONFIDENTIAL AND PRIVILEGED ATTORNEY-CLIENT OR ATTORNEY WORK PRODUCT INFORMATION. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE CONTACT THE SENDER AND THEN DESTROY THIS COMMUNICATION

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**From:** Blake Williams <[blake.williams@nelsonmullins.com](mailto:blake.williams@nelsonmullins.com)>  
**Sent:** Monday, May 20, 2024 6:16 PM  
**To:** Brooks R. Fudenberg <[Brooks.R.Fudenberg@FudenbergLaw.com](mailto:Brooks.R.Fudenberg@FudenbergLaw.com)>; Sarah Eibling <[Sarah.Eibling@nelsonmullins.com](mailto:Sarah.Eibling@nelsonmullins.com)>  
**Cc:** [steve@moskoslawfirm.com](mailto:steve@moskoslawfirm.com)  
**Subject:** RE: Greenawalts v. Nissan, Appellate Case No. 2023-001124

Thanks Brooks, I would add Sarah. They will likely send a letter otherwise since she is counsel of record on C-Track.

Blake T. Williams | Attorney at Law | Nelson Mullins Riley & Scarborough LLP  
(p) 803.255.9597 (e) [blake.williams@nelsonmullins.com](mailto:blake.williams@nelsonmullins.com)

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**From:** Brooks R. Fudenberg <[Brooks.R.Fudenberg@FudenbergLaw.com](mailto:Brooks.R.Fudenberg@FudenbergLaw.com)>  
**Sent:** Monday, May 20, 2024 6:13 PM  
**To:** Blake Williams <[blake.williams@nelsonmullins.com](mailto:blake.williams@nelsonmullins.com)>; Sarah Eibling <[Sarah.Eibling@nelsonmullins.com](mailto:Sarah.Eibling@nelsonmullins.com)>  
**Cc:** [steve@moskoslawfirm.com](mailto:steve@moskoslawfirm.com)  
**Subject:** RE: Greenawalts v. Nissan, Appellate Case No. 2023-001124

Attached is the draft cover sheet to Volume I of the RoA. I took the names and contact info from Respondent's brief. Do you want to add Sarah?

Brooks R. Fudenberg  
Law Office of Brooks R. Fudenberg, LLC  
14 Ashe Street  
Charleston SC 29403  
843-696-8911  
910-401-1242 (eFax)

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**LAW OFFICE OF BROOKS R. FUDENBERG, LLC**

14 Ashe Street  
Charleston, South Carolina 29403  
BRF@FudenbergLaw.com  
Tel. 843-696-8911  
eFax: 1-910-401-1242

May 20, 2024

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Rita R. Greenawalt and James M. Greenawalt, Appellants,  
v.  
Nissan North America, Inc., Respondent  
Appellate Case No. 2023-001124

Dear Ms. Kitchings:

Dear Ms. Kitchings:

Please find for filing a Supplemental Designation of Matter in this case. Opposing counsel has consented.

By copy of this letter, I am electronically serving opposing counsel

Sincerely,

s/ Brooks R. Fudenberg  
Brooks R. Fudenberg  
Law Office of Brooks R. Fudenberg LLC  
Attorney for Appellants

cc: Blake T. Williams  
Sarah Eibling