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Aug 29 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

G.D. Morgan, Jr., Circuit Court Judge

Case No.: 2022-CP-23-00564

Camille Bird,

Appellant,

v.

PetSmart, LLC and FreshPet, Inc.,

Defendants,

Of which PetSmart, LLC is the Respondent.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

Appellant proposes the following be included in the Record on Appeal:

1. Summons and Complaint;
2. PetSmart's Answer;
3. PetSmart's Motion for Summary Judgement
4. Affidavit of Bryan R. Durig, PhD, PE and CV and all exhibits including the following:
 - Exhibit to Durig Affidavit – "Incident Details"
 - Exhibit to Durig Affidavit – "Request Detail" DEF0012;
5. PetSmart's Letter to the Clerk of Court with exhibit – color photo of wet floor sign;
6. PetSmart's Letter to the Clerk of Court with exhibit – Deposition of Don Johnson;
7. Photograph filed by defense counsel on January 10, 2024;
8. Exhibit List #4117;

9. Order granting Motion for Summary Judgement – Form 4 – signed 01/22/2024 – filed 01/23/2024;
10. Order granting Summary Judgement in favor of PetSmart – signed 02/05/2024 – filed 02/06/2024;
11. Plaintiff’s Motion to Reconsider;
12. Order Denying Motion to Reconsider;
13. Email from Matt LaFave to Thomas Creech dated 01/09/2024 with photo of wet floor sign;
14. Deposition transcript of Camille Bird;
15. Deposition transcript of Jordan Coates;
 - Picture of refrigerator with markings by Jordan Coates - Exhibit 1 from Jordan Coates Deposition
 - Store policy DEF0094-DEF0096 - Exhibit 10 from Jordan Coates Deposition
16. Deposition transcript of Don Johnson;
17. PetSmart Incident Report Form - DEF-0002;
18. Store 1300 Manager email – DEF0105;
19. “Refrigerator not functioning” FreshPet work order dated September 10, 2019;
20. FreshPet Answers to Plaintiff’s First Set of Interrogatories;
21. Email Krause to Ramirez PetSmart of September 8, 2021 – DEF0023

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

August 29, 2024

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