

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

Appellate Case No. 2024-000678

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**

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

1. Summons and Complaint
2. PetSmart's Answer
3. PetSmart's Motion for Summary Judgment
4. Affidavit of Bryan R. During, Ph.D., PE and CV and all exhibits including the following:
 - Exhibit to During Affidavit – "Incident Details"
 - Exhibit to During 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 Judgment, Form 4, signed 01-22-2024 and filed 01-23-2024
10. Order granting Summary Judgment in favor of PetSmart, signed 02-05-2024 and 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 to include
 - Picture of refrigerator with markings of Jordan Coates, Exhibit 1 to Jordan Coates Deposition
 - Store Policy DEF0094-DEF0096
16. Deposition transcript of Don Johnson
17. PetSmart Incident Report Form – DEF002
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
22. Deposition transcript of Jeannie Rogalla

23. Incident Details – INC201245762

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

s/Matthew C. LaFave
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This 30th day of September 2024
Columbia, South Carolina