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**Oct 02 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM LEXINGTON COUNTY  
In The Court of Common Pleas

Courtney Clyburn Pope, Circuit Court Judge

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Appellate Case No. 2024-000335

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Vernon R. Graham ..... Respondent,

v.

Carolina Tractor & Equipment Company, Inc.  
and Lonnie D. Gates..... Defendants,

of which Carolina Tractor & Equipment Company, Inc.  
is the Appellant.

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**RESPONDENT’S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

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TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

Pursuant to Rule 209, SCACR, Respondent Vernon R. Graham (“Respondent”), designates the following portions of the transcript, pleadings, orders, exhibits, or other materials, to be included in the Record on Appeal:

**ORDERS**

1. Order Granting Plaintiff Vernon R. Graham’s Motion for Partial Summary Judgment of the Honorable Courtney Clyburn Pope dated February 8, 2023.
2. Order Granting Defendant Carolina Tractor & Equipment Company, Inc.’s Motion to Set Aside Entry of Default and Denying Defendant Gates’ Motion to Set Aside Entry of Default dated September 22, 2022.

## **PLEADINGS / MOTIONS**

1. Plaintiff Vernon R. Graham's Complaint dated December 16, 2021.
2. Defendant Carolina Tractor & Equipment Company, Inc.'s Answer to Complaint dated October 21, 2022.
3. Plaintiff Vernon R. Graham's Memorandum in Support of Motion for Summary Judgment dated January 25, 2024 (with accompanying Exhibits).
4. Affidavit of Defendant Lonnie Dylon Gates dated January 28, 2024.
5. Affidavit of Defendant Lonnie Dylon Gates dated March 2, 2022.

## **TRANSCRIPTS**

1. Transcript of January 29, 2024, Hearing on Plaintiff's Motion for Summary Judgment.
2. Deposition Transcript of Plaintiff Vernon R. Graham of November 28, 2023.

Respectfully submitted,

*s/W. Hugh McAngus, Jr.*

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Columbia, SC  
October 1, 2024

Attorneys for the Respondent,  
Vernon R. Graham

**RESPONDENT'S DESIGNATION OF MATTER TO  
BE INCLUDED IN THE RECORD ON APPEAL**

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v.

Carolina Tractor & Equipment Company, Inc.  
and Lonnie Dr. Gates ..... Defendants,

of which Carolina Tractor and  
Equipment is the Appellant.

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**PROOF OF SERVICE**

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I hereby certify that I have caused to be served Respondent’s Designation of Matter upon all parties, by electronic mail to all counsel of record on October 2, 2024, addressed to the following:

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Respectfully submitted,

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**PROOF OF SERVICE FOR RESPONDENT'S  
DESIGNATION OF MATTER**

Columbia, South Carolina  
October 1, 2024