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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ABBEVILLE COUNTY
Court of Common Pleas

Donald B. Hocker, Circuit Court Judge

Case No. 2021-CP-01-00076

William F. Nickles, IV, Respondent,

v.

Howar Equipment, Inc., Sonoco Products Company, Palmetto State Transportation, LLC, KSC Logistics, Inc., and John Doe Corporation, Defendants,

of which KSC Logistics, Inc. is the Appellant.

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

Pursuant to Rule 208, SCACR, KSC Logistics, Inc. (“Appellant”) proposed the following to be included in the Record on Appeal:

1. Electronic Docket for Case No. 2021-CP-01-00076;
2. Summons and Complaint, filed March 24, 2021;
3. Affidavit of Service on Defendant KSC Logistics, Inc., filed April 12, 2021;
4. Stipulation of Dismissal Without Prejudice as to Defendant KSC Logistics, Inc., filed August 23, 2021;
5. Certificate of Service by Mail as to Defendant KSC Logistics, Inc., filed August 30, 2021;

6. Form 4 Order Granting Stipulation of Dismissal Without Prejudice, filed September 2, 2021;
7. Consent to Amend Complaint, filed November 9, 2021;
8. Amended Complaint, filed November 9, 2021;
9. Affidavit of Service or Non-Service on Defendant KSC Logistics, Inc., filed February 7, 2022;
10. Affidavit of Default as to Defendant KSC Logistics, Inc., filed February 7, 2022;
11. Plaintiff's Motion to Set Damages and Fees on Default, filed February 7, 2022;
12. Motion and Order for Continuance, filed April 8, 2022;
13. Affidavit of William Ray Kelley, filed December 7, 2023;
14. Motion of Defendant KSC Logistics, Inc., to Set Aside Entry of Default, filed December 7, 2023;
15. Motion of Defendant KSC Logistics, Inc., to Continue the December 18, 2023 Hearing on Plaintiff's Motion for Damages, filed December 12, 2023;
16. Plaintiff's Memorandum in Response to Defendant KSC Logistics, Inc.'s Motion to Set Aside Default, filed December 18, 2023;
17. Transcript of Record of Hearing on December 18, 2023;
18. Plaintiff's Return to Defendant KSC Logistics, Inc.'s Motion for Continuance, filed December 18, 2023;
19. Defendant KSC Logistics, Inc.'s Brief in Support of Motion to Set Aside Entry of Default, filed January 29, 2024;
20. Plaintiff's Additional Response to Defendant KSC Logistics, Inc.'s Motion to Set Aside Default, filed January 30, 2024, including Exhibits A-C;

21. Transcript of Record of Hearing on January 30, 2024;
22. Order on Defendant KSC Logistics, Inc.'s Motion to Set Aside Default, filed February 7, 2024;
23. Order Assessing Damages Against KSC Logistics, Inc., filed February 29, 2024;
24. Second Affidavit of William Ray Kelley, filed March 11, 2024;
25. Defendant KSC Logistics, Inc.'s Motion to Alter or Amend and, in the Alternative, to Provide for Setoff, filed March 11, 2024;
26. Defendant KSC Logistics, Inc.'s Brief in Support of Motion to Alter or Amend and, in the Alternative, to Provide for Setoff, filed March 11, 2024, including Exhibits 1-6;
27. Plaintiff's Memorandum in Response to Defendant KSC Logistics, Inc.'s Motion to Reconsider and Offset, filed May 28, 2024, including Exhibits A and B;
28. Transcript of Record of Hearing on May 30, 2024;
29. Order on Defendant's Motion to Reconsider and Setoff, filed July 31, 2024.

Certificate of Counsel

Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that this designation contains no matter which is irrelevant to the Appeal.

February 20, 2025

s/ C. Daniel Atkinson
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