

**RECEIVED**

**May 29 2025**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM PICKENS COUNTY  
Court of Common Pleas  
The Honorable G.D. Morgan, Jr., Circuit Judge

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Appellate Case No. 2024-001391  
Case No. 2023-CP-39-00416

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John Sloan, individually, and on behalf of all others  
similarly situated, and NOLAS Trading Co., Inc.,  
Plaintiffs,

of which John Sloan, individually, and on behalf of all  
others similarly situated is the

Appellant,

v.

Clemson University, and its Life Trustees E. Smyth  
McKissick III, David E. Dukes, Cheri M. Phyfer,  
Mark S. Richardson, William “Bill” C. Smith, Jr., Kim  
Wilkerson, and David H. Wilkins,

Respondents

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**RESPONDENTS’ JOINT DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

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Pursuant to Rule 209, SCACR, and in addition to the matters previously designated by the Appellant, Respondents jointly designate the following material for inclusion in the Record on Appeal. Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that the designation contains no matter which is irrelevant to this appeal.

**Orders**

1. Order of the Honorable Alex Kinlaw, Jr. granting Motions for a Protective Order and Stay of Discovery, filed September 1, 2021
2. Form 4 Order, filed June 27, 2024

## **Briefs**

3. Joint Brief of Respondents, filed July 13, 2023

## **Motions, Supporting Memoranda, & Other Filings**

4. Statement of Issues on Appeal, filed May 17, 2023
5. Clemson University' Motion for Protective Order, filed June 30, 2021
6. Successor Trustees' Motion for Protective Order, filed June 22, 2021
7. Plaintiff's Memo in Opposition to Motion to Dismiss, filed October 24, 2020
8. Clemson University's Memorandum in Support of Motion to Dismiss, filed October 23, 2020
9. Successor Trustees' Memorandum in Support of Motion to Dismiss, filed October 23, 2020
10. Plaintiff's Petition for Original Jurisdiction, served February 21, 2020

## **Other**

11. Last Will & Testament of Thomas Green Clemson, *reprinted in full at* Part III, Ch. 4, *Board of Trustees Manual*, Clemson University, *available at* <https://clempsonpub.cfmnetwork.com/B.aspx?BookId=12632&PageId=465560>
12. Act of Acceptance, Statutes of South Carolina, Volume XX, Page 277 (November 27, 1889), *reprinted in full at* Part III, Ch. 4, *Board of Trustees Manual*, Clemson University, *available at* <https://clempsonpub.cfmnetwork.com/B.aspx?BookId=12632&PageId=465560>
13. Opinion of Chief Justice R.W. Simpson, *reprinted in full at* Part III, Ch. 4, *Board of Trustees Manual*, Clemson University, *available at* <https://clempsonpub.cfmnetwork.com/B.aspx?BookId=12632&PageId=465560>

*Signature on Following Page*

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Columbia, South Carolina

May 29, 2025

HAYNSWORTH SINKLER BOYD

By: s/ Boyd B. Nicholson, Jr. (with permission)

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