

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Alison Renee Lee, Circuit Court Judge

Case No. 2006-CP-40-1814

Lauren Proctor and Trans-Union National
Title Insurance Company f/k/a Atlantic
Title Insurance Company,

Respondents,

v.

Whitlark & Whitlark, Inc. d/b/a Rockaways
Athletic Club and Pizza Man, Forrest
Whitlark, Paul Whitlark, Charlie E. Bishop,
and Brett Blanks,

Appellants.

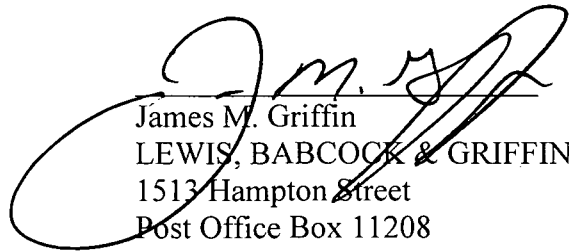
**APPELLANT'S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

Appellant proposes the following to be included in the Record on Appeal.

1. Complaint, dated March 29, 2007 ;
2. Appellants' Answer to Complaint, dated June 19, 2007;
3. Second Amended Complaint, dated September 4, 2008;
4. Appellants' Answer to Second Amended Complaint, dated September 19, 2008;

5. Appellants' Motion for Summary Judgment, dated March 2, 2009 (with attachments);
6. Appellants' Memorandum in Support of Summary Judgment, October 2007(with attachments) (re-submitted at the April 14, 2009 hearing);
7. Respondent's Renewed Motion for Summary Judgment, dated March 12, 2009;
8. Transcript of Hearing of April 14, 2009;
9. Order on Summary Judgment, filed September 9, 2011;
10. Appellants' Motion for Reconsideration and/or to Alter or Amend Judgment, filed September 26, 2011;
11. Order denying the motion to alter or amend, filed November 15, 2011;
12. Notice of Appeal, filed December 13, 2011.

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



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ATTORNEYS FOR APPELLANTS

Columbia, South Carolina
May 31, 2012

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Case No. 2006-CP-40-1814

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SC Court of Appeals

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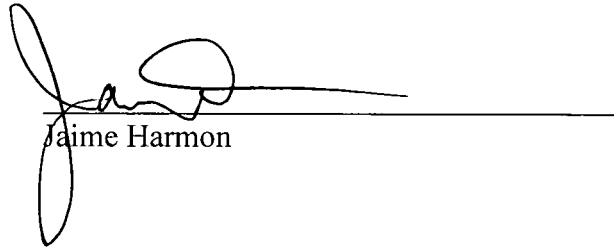
Appellants.

PROOF OF SERVICE

I, Jaime Harmon, the undersigned employee of Lewis, Babcock & Griffin L.L.P, attorney for Appellant Will D. Wheeler, do hereby certify that I have served a copy of the foregoing **Appellants Initial Brief and Designation of Matter**, in connection with the above-referenced case by mailing a copy of the same by United States Mail, postage prepaid, to the following addresses:

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2110 Beltline Blvd. Suite A
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Louis H. Lang
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1812 Lincoln Street, Second Floor
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Columbia, South Carolina
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May 31, 2012

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

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SC Court of Appeals

**Re: Lauren Proctor, et al. v. Whitlark & Whitlark, Inc., et al.
Case No.: 06-CP-40-1814**

Dear Ms. Abbott Kitchings:

Enclosed please find the original and one copy of the following documents:

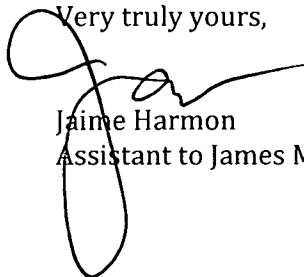
- (1) Appellant's Initial Brief
- (2) Designation of Matter to be Included in the Record on Appeal

Please file these documents and return the clocked in copy to the courier.

If you have any questions, please do not hesitate to contact this office.

With best regards, I am

Very truly yours,



Jaime Harmon
Assistant to James M. Griffin

/jh
Enclosures

cc: Mario A. Pacella
Louis Lang