

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SOUTH CAROLINA COURT OF APPEALS

Appeal from Richland County
In the Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

Case No.: 2011-CP-40-2389
Court of Appeals No.: 2012-213531

CACH, LLC.....Respondent,

v.

Toby Hoffman, Jr., a/k/a
Carl W. Hoffman, Jr.....Appellant,

RESPONDENT'S DESIGNATION OF MATTER

ORDERS

Order for Judgment Against Defendant – October 17, 2012

PLEADINGS

Complaint [with attached affidavits] – April 12, 2011

Answer – May 26, 2011

TESTIMONY

Pre-trial discussion regarding Request for Admission, Form 8-K, and Form 10-Q – Pages 3-6

Mr. Hoffman's absence from Court – Pages 6-7

Magic West's Direct Testimony and Introduction of Exhibits – Pages 7-26

Cross-Examination – Pages 26-39

Arguments of Counsel – Pages 39-47

Ruling of the Court – Pages 47-48

EXHIBITS

Defendants' Responses to Plaintiff's Requests for Admission

Plaintiff's Responses to Defendants' Interrogatories

U.S. Securities and Exchange Commission Form 8-K

U.S. Securities and Exchange Commission Form 10-Q

Plaintiff's Exhibit 1 – Bill of Sale and Loan Schedule

Plaintiff's Exhibit 2 – Affidavit of Sale and Certification of Debt

Plaintiff's Exhibit 3 – Monthly Statements

Plaintiff's Exhibit 4 – Bill of Sale and Loan Schedule

Plaintiff's Exhibit 5 - Affidavit of Claim and Certification of Debt

Plaintiff's Exhibit 6 – Monthly Statements

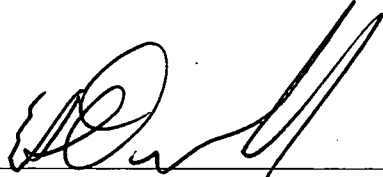


Edward H. Overcash, Jr.
37 Villa Rd., Suite 507
Greenville, SC 29615
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Fax: (864) 233-5588

Attorney for Respondent

CERTIFICATE OF COUNSEL

This is to certify that the Designation of Matter for the Respondent, CACH, LLC., contains no matter which is irrelevant to the appeal as required by Rule 209(c).



Edward H. Overcash, Jr.
Attorney for CACH, LLC

Date: 11/18/13

THE STATE OF SOUTH CAROLINA
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APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
G. Thomas Cooper, Jr., Circuit Court Judge

Case No. 2011-CP-40-2389

CACH, LLC,.....Respondent,

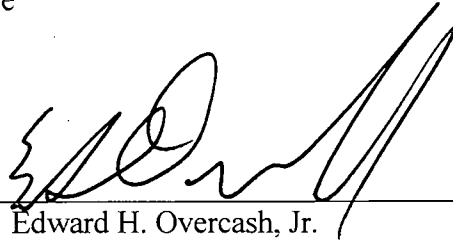
vs.

Toby Hoffman, Jr. a/k/a Carl W. Hoffman, Jr.,.....Appellant.

PROOF OF SERVICE

This is to certify that on the 18th day of November, 2013, the undersigned served a copy of the **RESPONDENT'S DESIGNATION OF MATTER** by depositing a copy of the same into the United States Mail, postage pre-paid and in the correct amount to the following:

John D. Elliott, Esquire
P.O. Box 607
Columbia, SC 29202



Edward H. Overcash, Jr.
Attorney for Respondent

SWORN to before me this 18th
day of November, 2013.

 (SEAL)
NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: 10/4/20