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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM EDGEFIELD COUNTY
Court of Common Pleas

Martha M. Rivers, Circuit Court Judge

Appellate Case No.: 2025-002089

Barry Lanham and Obvia Gamble-Lanham, Appellants,

v.

Wumag Texroll GmbH & Co. KG f/k/a Kelzenberg + Co.:
GmbH & Co. KG and Wumag Texroll GmbH & Co. KG, Defendants.

of which Wumag Texroll GmbH & Co. KG f/k/a
Kelzenberg + Co.: GmbH & Co. KG is the Respondent.

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

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f/k/a Kelzenberg + Co. GmbH & Co. KG*

Respondent Wumag Texroll GmbH & Co. KG f/k/a Kelzenberg + Co.: GmbH & Co. KG (“Kelzenberg-Wumag” or “Respondent”) by and through its undersigned counsel, proposes the following be included in the Record on Appeal:

Orders

1. Order Denying Kelzenberg-Wumag’s Motion to Dismiss, filed July 21, 2022;
2. Order Denying Wumag Texroll GmbH & Co. KG’s (“Wumag”) Motion to Dismiss Third-Party Complaint, filed March 13, 2024;
3. Order Granting Kelzenberg-Wumag's Motion for Summary Judgment, filed September 19, 2025;
4. Order Denying Plaintiffs' Motion to Alter or Amend, filed September 25, 2025;
5. Order Granting Plaintiffs' Motion to Alter or Amend and Certifying Order as Final Pursuant to Rule 54(b), SCRCPP, filed October 9, 2025;

Pleadings

6. Summons and Complaint, filed January 6, 2021;
7. Kelzenberg-Wumag's Answer, filed August 5, 2022;
8. Kelzenberg-Wumag's Amended Answer to Complaint and Third-Party Complaint, filed May 2, 2023;
9. Amended Summons and Complaint, filed February 23, 2024;
10. Kelzenberg-Wumag’s Answer to Amended Complaint and Crossclaims, filed March 8, 2024;
11. Wumag's Answer to Plaintiffs’ Amended Complaint, filed March 25, 2024;
12. Kelzenberg-Wumag's Amended Answer and Crossclaims to Plaintiffs’ Amended Complaint, filed April 4, 2024;

13. Wumag's Answer to Kelzenberg-Wumag's cross-claims, filed April 16, 2024;

Hearing and Deposition Materials

14. Transcript of the hearing on Kelzenberg-Wumag's Motion for Summary Judgment held before the Honorable Martha M. Rivers, dated July 7, 2025;

15. Deposition of John Reece Walmsley, dated May 9, 2025, pp. 30–32, 59, 61–62;

16. Deposition of Barry Lanham, dated March 25, 2025, pp. 158–159.

Motions, Memoranda, and Supporting Materials

17. Kelzenberg-Wumag's Motion to Dismiss, filed March 22, 2021;

18. Kelzenberg-Wumag's Memorandum of Law in Support of Motion to Dismiss, filed April 7, 2022, together with all exhibits thereto;

19. Plaintiffs' Memorandum in Opposition to Kelzenberg-Wumag's Motion to Dismiss, filed July 13, 2022, together with all exhibits thereto;

20. Kelzenberg-Wumag's Amended Memorandum of Law in Support of its Motion to Dismiss, filed July 13, 2022, together with all exhibits thereto:

21. Affidavit of John E. Parker, Jr., filed June 6, 2022, together with all exhibits thereto;

22. Wumag's Motion to Dismiss Third-Party Complaint, filed June 29, 2023;

23. Plaintiffs' Motion to Amend Complaint, filed July 17, 2023;

24. Kelzenberg-Wumag's Memorandum in Opposition to Wumag's Motion to Dismiss Third-Party Complaint, filed December 8, 2023, together with all exhibits thereto;

25. Wumag's Memorandum in Support of its Motion to Dismiss Third-Party Complaint, filed December 8, 2023;

26. Wumag's Motion to Dismiss Third-Party Complaint, filed March 19, 2024;

27. Kelzenberg-Wumag's Motion for Summary Judgment, filed June 13, 2025;

28. Plaintiffs' Memorandum in Opposition to Kelzenberg-Wumag's Motion for Summary Judgment, filed July 2, 2025, together with all exhibits thereto;
29. Kelzenberg-Wumag's Memorandum in Support of its Motion for Summary Judgment, filed July 3, 2025, together with all exhibits thereto;
30. Kelzenberg-Wumag's Letter to Judge Rivers enclosing Declaration of Dr. Nils Derksen, filed July 11, 2025, together with all exhibits thereto;
31. Plaintiffs' Supplemental Memorandum in Further Opposition to Motion for Summary Judgment, filed July 18, 2025, together with all exhibits thereto;

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

Respectfully submitted,

s/Robert Osborne, III

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