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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
The Honorable Vernon F. Dunbar, Circuit Court Judge

Case No. 2025-CP-23-04210
Appellate Case No. 2026-000858

Frank George Rogers, individually and derivatively as a member and on behalf of
Exodus Aircraft, LLC,

Respondents,

v.

Joshua Brett Kimbrell, Liliya Shcherba Robertson Kimbrell, Exodus Airways, LLC,
Thomas Blake Whitaker, Defendants,

of which Joshua Brett Kimbrell and Liliya Shcherba Robertson Kimbrell are the

Appellants.

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

Pursuant to Rules 209 and 210 of the South Carolina Appellate Court Rules, Appellants
Joshua Brett Kimbrell and Liliya Shcherba Robertson Kimbrell designate the following
matter to be included in the Record on Appeal:

1. Summons and Complaint, with Exhibit A, filed July 10, 2025;
2. Plaintiff's Motion for Temporary Restraining Order, filed July 11, 2025;
3. Affidavit of Frank George Rogers in support of the Motion for Temporary Restraining Order, with Exhibits A through E, filed July 11, 2025;
4. Temporary Restraining Order, issued July 11, 2025;
5. Consent Order Granting Preliminary Injunctive Relief, signed July 21, 2025, and entered July 22, 2025;
6. Plaintiffs' Petition for Rule to Show Cause, with Exhibits 1 through 5, filed August 21, 2025;
7. Defendants' Answer to the Petition for Rule to Show Cause, filed September 26, 2025;

8. Transcript of the December 19, 2025 hearing before the Honorable Vernon F. Dunbar, in its entirety, together with all exhibits admitted into evidence at that hearing;
9. Contempt Order of the Honorable Vernon F. Dunbar, entered March 12, 2026;
10. Appellants' Notice of Appeal, served April 8, 2026;
11. Order Approving Plaintiffs' Attorney's Fees and Costs, entered May 5, 2026; and
12. Such other portions of the record as may be designated by Respondents or required by Rule 210(c), SCACR.

Respectfully submitted,

s/ Joshua Snow Kendrick
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