

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BAMBERG COUNTY
Court of Common Pleas

Clifton Newman, Circuit Court Judge

Appellate Case No. 2013-000578

Claude McAlhaney, Appellant,

v.

Kenneth A. Carter, Sr. d/b/a Carter & Son Pest Control,
Carter & Son Pest Control, Inc. and Erick Cogburn, Of whom,
Erick Cogburn is Respondent.

RESPONDENT ERICK COGBURN'S DESIGNATION OF MATTER
TO BE INCLUDED IN RECORD ON APPEAL

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JAN 13 2014

SC Court of Appeals

Respondent Erick Cogburn designates the following items for inclusion in the Record on Appeal, in addition to the material designated by the Appellant not subject to the objections of Respondent contained within Respondent's Motion to

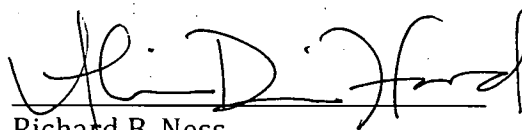
Strike:

1. Claude McAlhaney's Deposition Testimony, dated January 25, 2011, Pages 125, 154 and Defendant's Exhibits 10 and 12.

2. Memorandum of Law in Support of Defendant Erick Cogburn's Motion for Summary Judgment, dated July 26, 2012, with attachments, including Exhibits A and B.

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

Respectfully Submitted,



Richard B. Ness
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Attorneys for Respondent
Erick Cogburn

Bamberg, S.C.
January 9, 2014

CERTIFICATE OF SERVICE

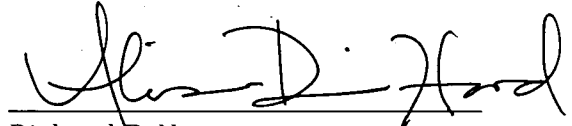
This is to certify that I, Alison Dennis Hood, Attorney for Respondent Erick Cogburn, along with Richard B. Ness of Ness & Jett, LLC, have this date mailed via the U.S. Postal Service with first class postage prepaid, a true and correct copy of the within **RESPONDENT'S INITIAL BRIEF and DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** in the matter captioned *Claude McAlhaney v. Kenneth A. Carter, Sr., d/b/a Carter & Son Pest Control, Carter & Son Pest Control, Inc., and Erick Cogburn, Appellate Case Number: 2013-000578:*

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AND

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Attorneys for Respondent Kenny Carter, et al.

Bamberg, S.C.
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January 9, 2014

The Honorable Jenny Abbott Kitchings
S.C. Court of Appeals Clerk of Court
P.O. Box 11629
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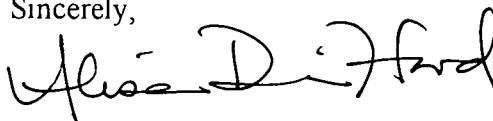
Re: *Claude McAlhaney v. Kenneth Carter, Sr., Kenneth A. Carter, Sr.,
d/b/a Carter and Sons Pest Control, Carter & Sons Pest Control, Inc., and Erick
Cogburn*
Appellate Case No: 2013-000578

Dear Ms. Kitchings,

Please find enclosed the original and two copies of *Respondent's Initial Brief, Designation of Matter to be Included in the Record on Appeal*, and a *Certificate of Service* in the above-referenced matter. Please file the originals and return clocked copies of each in the enclosed envelope.

By copy of this letter, Respondent's Initial Brief and Designation of Matter are being served on all counsel of record.

Sincerely,



Alison Dennis Hood

ADH
Enclosure

Cc: Danielle F. Payne
William F. Barnes

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