

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

Roger L. Couch, Circuit Court Judge

Appellate Case No.: 2013-002499

RECEIVED

FEB 26 2014

SC Court of Appeals

Anderson County, Appellant,

v.

Joey Preston and The South Carolina Retirement System,..... Respondents.

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

Appellant proposes that the following material be included in the Record on

Appeal:

1. Final Order and Judgment of 05/03/13;
2. Order of 11/08/13;
3. Order of 12/07/11 (designating case as complex);
4. Notice of 02/28/12 (assigning case to The Honorable Roger Couch);
5. Order of October 23, 2012 (denying summary judgment motions)
6. Complaint;
7. Defendant South Carolina Retirement System's Answer and Cross-Claims;

8. Defendant Preston's Answer, Counterclaims and Cross-Claims;
9. Plaintiff's Reply to Counterclaim;
10. Amended Complaint;
11. Defendant Preston's Answer to Amended Complaint and Counterclaims;
12. Plaintiff's Reply to Amended Counterclaims;
13. Stipulation of Dismissal as to Certain Counterclaims;
14. Stipulations as to Evidence Related to Defendant South Carolina Retirement System, including Affidavits of Tammy Nichols and Sharon Graham;
15. Trial Transcript;
16. All Trial Exhibits except Preston's Exhibit 162;
17. Defendant South Carolina Retirement System's Post-Trial Brief (11/16/12);
18. Plaintiff's Post-Trial Memorandum (11/16/12);
19. Closing Argument for Defendant Joey Preston (11/16/12);
20. Plaintiff's Motion to Alter or Amend Judgment (5/13/13);
21. Defendant Preston's Memorandum Opposing Plaintiff's Motion to Reconsider (7/16/13);
22. Plaintiff's Motion to Amend Complaint (7/15/13);
23. Plaintiff's Reply in Support of its Motion to Alter or Amend Judgment (07/24/13);
24. Defendant Preston's Memorandum Opposing Plaintiff's Motion to Amend (09/03/13).

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

Respectfully submitted,



J. Theodore Gentry (No. 64038)

Troy A. Tessier (No. 13354)

Alice W.W. Parham (No. 13459)

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Attorneys for Appellant

February 26, 2014
Greenville, South Carolina

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PROOF OF SERVICE

The undersigned counsel for Appellant certifies that Appellant’s Initial Brief and Designation of Matter to be Included in the Record on Appeal have been served upon all other counsel of record by depositing copies of same in the U.S. Mail, first-class postage prepaid, addressed as follows:

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Respectfully submitted,



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February 26, 2014
Greenville, South Carolina

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February 26, 2014

Hon. Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

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RE: *Anderson County v. Joey Preston and The South Carolina Retirement System*
Appellate Case No. 2013-002499

Dear Ms. Kitchings:

Enclosed please find for filing with the Court the originals and one copy of each of the Initial Brief of Respondent, Respondent's Designation of Matter to be Included in the Record on Appeal, and Proof of Service in connection with the above-referenced matter. Please return a file stamped copy of each with our courier.

By copy of this letter we are serving copies of these documents on counsel for Appellants.

Thank you for your assistance.

With highest regards,



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Enclosures

c: Lane W. Davis, Esquire
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