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Donald P. Rosen, MAcc, MBA, CPA, JD

February 5, 2014

South Carolina Court of Appeals
Attn: Elizabeth Carter
Post Office Box 11629
Columbia, South Carolina 29211

RE: Jacquelyne Hollander v. The Irrevocable Trust Established by James Brown on August 1, 2000 and Russell L. Bauknight as Trustee of the Irrevocable Trust established by James Brown on August 1, 2000, Case No. 2012-CP-02-1059; Appellate Case No. 2013-001856.

Dear Ms. Carter:

As we discussed today, please find a copy of the Respondent's Designation of Matter to be Included in the Record on Appeal filed on December 12, 2013. Pursuant to that document, Respondent has included Orders to Dismiss from August 18, 2009 (2); October 15, 2009 (3); July 7, 2010 (4); June 30, 2011 (5); February 7, 2013 (6); and an Order awarding Sanctions from August 1, 2013 (7).

Each of these requests regard orders from various Federal District Courts that were never presented to the Trial Court from which this appeal is taken. In preparing the Record on Appeal, Mr. Hinton wishes to strictly comply with Rule 210(c) which provides, in relevant part, "The Record shall not, however, include any matter which was not presented to the lower court or tribunal."

Pursuant to your direction, please accept this letter on behalf of Mr. Hinton to ask opposing counsel to delete the above items from his Designation so that the Record on Appeal will only contain items considered by the Trial Court in making its decision.

Thank you in advance for your consideration.

Sincerely,

Donald Rosen

cc: J. David Black, Esq.
O. Cyrus Hinton, Esq.

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM AIKEN COUNTY
COURT OF COMMON PLEAS

HONORABLE DOYET A. EARLY, III, CIRCUIT COURT JUDGE

APPELLATE CASE No. 2013-001856

JACQUELYNE HOLLANDER,.....APPELLANT,

v.

THE IRREVOCABLE TRUST ESTABLISHED BY JAMES BROWN ON AUGUST 1,
2000 AND RUSSELL L. BAUKNIGHT, AS TRUSTEE OF THE IRREVOCABLE TRUST
ESTABLISHED BY JAMES BROWN ON AUGUST 1, 2000,.....DEFENDANTS,

OF WHOM RUSSELL L. BAUKNIGHT IS THE.....RESPONDENT.

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

The Respondent proposes the following to be included in the Record on Appeal:

1. Order Granting Motion to Dismiss, August 7, 2013;
2. Order Granting Motion to Dismiss, August 18, 2009;
3. Order Granting Motion to Dismiss, October 15, 2009;
4. Order Granting Motion to Dismiss, July 7, 2010;
5. Order Granting Motion to Dismiss, June 30, 2011;
6. Order Granting Motion to Dismiss, February 7, 2013;
7. Order Awarding Sanctions, August 1, 2013;
8. Transcript of July 2, 2013 Motion Hearing;
9. Complaint dated April 11, 2012;
10. Trust's Motion to Dismiss dated June 12, 2012;

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11. Trust's Memorandum in Support of Motion to Dismiss dated July 2, 2013;
and
12. Hollander's Memorandum in Opposition to Motion to Dismiss and
Proposed Order dated July 19, 2013.

Pursuant to Rule 209(c), SCACR, the undersigned certifies that this designation contains no matter which is irrelevant to the appeal.

Respectfully submitted,



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*Attorneys for Respondent
Russell L. Bauknight*

December 12, 2013

Greenville, South Carolina