

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas

William H. Seals, Jr., Circuit Court Judge

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Case No. 2013-CP-21-2722  
Appellate Case No. 2013-002722

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Omega Construction, Inc. ....Respondent,

v.

Crailar, Inc., d/b/a Crailar Technologies, Inc., f/k/a  
Naturally Advanced Technologies US, Inc. ....Appellant.

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

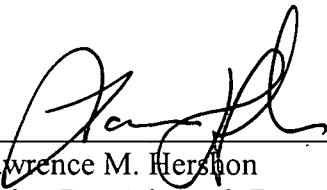
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Appellant proposes the following be included in the Record on Appeal:

1. Complaint;
2. Motion for Temporary Restraining Order and Injunction;
3. Temporary Restraining Order, October 23, 2013;
4. Memorandum in Support of Motion for Temporary Injunction;
5. Supplemental Affidavit of D. Greg Marshall;
6. Defendant's Memorandum of Law in Opposition to Plaintiff's Motion for a Temporary Restraining Order and Temporary Injunction;
7. Agreement dated May 23, 2012;
8. Transcript of Hearing held October 31, 2013;
9. Affidavit of Guy Prevost, dated October 31, 2013;
10. Order Extending Temporary Restraining Order, November 1, 2013;
11. Order Extending Temporary Restraining Order, November 14, 2013;
12. Order Granting Temporary Injunction and/or Requiring Bond, November 25, 2014;
13. Email from Judge Seals' Law Clerk, October 31, 2013;
14. Email from counsel for Respondent, October 31, 2013;
15. Email from counsel for Respondent, November 1, 2013;
16. Letter from counsel for Respondent, November 27, 2013

**RECEIVED**

FEB 25 2014



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Attorneys for Appellant

February 25, 2014  
Columbia, South Carolina

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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**PROOF OF SERVICE**

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The undersigned hereby certifies that on February 25, 2014, he served the foregoing **APPELLANT'S INITIAL BRIEF and DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** on all counsel of record by placing a copy of it in the United States Mail, first class postage prepaid, addressed as follows:

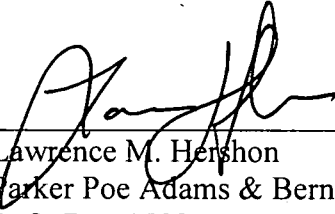
D. Alan Lazenby, Esq.  
Ginger D. Goforth, Esq.  
Lazenby Law Firm, LLC  
Post Office Box 6099  
Spartanburg, SC 29304

[SIGNATURE BLOCK APPEARS ON FOLLOWING PAGE.]

**RECEIVED**

FEB 25 2014

**SC Court of Appeals**



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ATTORNEYS FOR APPELLANT

February 25, 2014  
Columbia, South Carolina



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February 25, 2014

***Via Hand Delivery***

Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, SC 29211

**Re: *Omega Construction, Inc. v. Crailar, Inc., d/b/a Crailar Technologies, Inc. f/k/a Naturally Advanced Technologies US, Inc. C.A. No. 2013-CP-21-2722 Appellate Case No. 2013-002722***

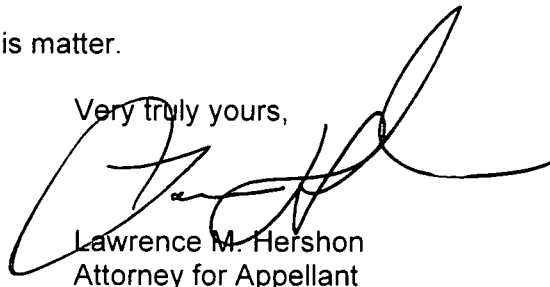
Dear Ms. Kitchings:

Enclosed for filing please find the original and one copy of Appellant's Initial Brief, Designation of Matter to be Included in the Record on Appeal, and Proof of Service in the above-referenced case. Please file the originals and return file-stamped copies to my courier.

By copy of this letter, I am today serving the Initial Brief, Designation of Matter to be Included in the Record on Appeal, and Proof of Service on counsel for Respondent.

Thank you for your assistance in this matter.

Very truly yours,



Lawrence M. Hershon  
Attorney for Appellant

LMH:dmc  
Enclosure

cc: D. Alan Lazenby, Esq. (Attorney for Respondent) (w/enc.) – via U.S. Mail  
Ginger D. Goforth, Esq. (Attorney for Respondent) (w/enc.) – via U.S. Mail

**RECEIVED**

FEB 25 2014

**SC Court of Appeals**

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