

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes III, Circuit Court Judge

Case No. 2012-CP-07-3595
Appellate Case No. 2013-002674

Charles Gary, Respondent,

v.

Hattie M. Askew, Will Outlaw, and Deboria Outlaw,
individually and d/b/a Low Country Medical Transport,
Low Country Medical Transport, Inc., Eugene A.
Kirkland, and American Medical Response, Inc. (d/b/a
Access2Care) Defendants

Of whom American Medical Response, Inc. (d/b/a
Access2Care) is, Appellant.

**APPELLANT'S DESIGNATION OF MATTER
FOR THE RECORD ON APPEAL**

Pursuant to Rule 209, SCACR, Appellant American Medical Response (d/b/a
Access2Care) designates the following material for inclusion in the record on appeal.
Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that the designation
contains no matter which is irrelevant to the appeal:

ORDERS

1. Order Granting Summary Judgment filed August 20, 2013
2. Order Modifying Grant of Summary Judgment and Denying Motion to Reconsider filed December 3, 2013

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SC Court of Appeals

PLEADINGS

3. Complaint filed October 16, 2012
4. American Medical Response's Answer filed November 21, 2012
5. American Medical Response's Amended Answer filed December 12, 2012

MOTIONS, SUPPORTING MEMORANDA & OTHER FILINGS

6. Plaintiff's Motion for Summary Judgment filed February 26, 2013
7. Plaintiff's Memorandum in Support of Summary Judgment filed May 14, 2013
 - a. Exhibit A to Memo. in Supp. of Sum. Jdgmt. – Affidavit of Charles Gary
 - b. Exhibit B to Memo. in Supp. of Sum. Jdgmt. – Request for Proposal
 - c. Exhibit C to Memo. in Supp. of Sum. Jdgmt. – E-mail from SCDHHS regarding Non-Emergency Medical Transportation Contract
 - d. Exhibit D to Memo. in Supp. of Sum. Jdgmt. – Notice Regarding Award
 - e. Exhibit E to Memo. in Supp. of Sum. Jdgmt. – Change Order Request
 - f. Exhibit H to Memo. in Supp. of Sum. Jdgmt. – Affidavit of Hattie M. Askew
8. American Medical Response's Memorandum in Opposition to Summary Judgment filed May 14, 2013
 - a. Exhibit F to Memo. in Opp. to Sum. Jdgmt. – Affidavit of George Robert Mathew McCormick
9. American Medical Response's Supplemental Memorandum in Opposition to Summary Judgment filed May 30, 2013
 - a. Exhibit C to Suppl. Memo. in Opp. to Sum. Jdgmt. – Picture of Low Country Medical Transport's Ambulance
10. Plaintiff's Supplemental Memorandum in Support of Summary Judgment filed June 6, 2013
11. American Medical Response's Rule 56(f) Affidavit filed July 10, 2013

12. Excerpt from Answers to Interrogatories served by the Low Country Medical Transport Defendants
13. Proposed Order submitted on July 26, 2013.
14. American Medical Response's Objections to Plaintiff's Proposed Order and Supplemental Memorandum in Opposition to Summary Judgment filed August 9, 2013
15. American Medical Response's Motion to Reconsider, Alter or Amend Order of August 20, 2013, and Supplemental Memorandum in Opposition to Summary Judgment filed September 3, 2013
16. Plaintiff's Memorandum in Response to American Medical Response's Motion to Reconsider filed September 17, 2013

TRANSCRIPTS

17. Transcript of Hearing held on November 12, 2013

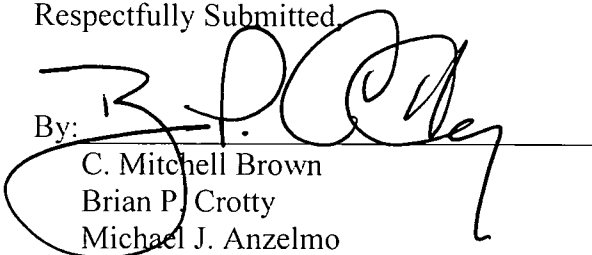
OTHER DOCUMENTS

18. E-mail from Judge Dukes to Counsel dated July 24, 2013

SIGNATURE PAGE ATTACHED

Respectfully Submitted

By:

A handwritten signature in black ink, appearing to read "M. J. Anzelmo", is written over a horizontal line. The signature is stylized and cursive.

C. Mitchell Brown
Brian P. Crotty
Michael J. Anzelmo

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Columbia, South Carolina
March 13, 2014

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Low Country Medical Transport, Inc., Eugene A.
Kirkland, and American medical Response, Inc. (d/b/a
Access2Care),
Of whom American Medical Response, Inc. (d/b/a
Access2Care) is, Appellant.

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Appellant, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings: INITIAL BRIEF OF APPELLANT and DESIGNATION OF MATTER

Counsel Served: Joseph Dawson, III, Esquire
Post Office Box 41367
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SC Court of Appeals

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March 13, 2014

VIA HAND-DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
1015 Sumter Street - 5th Floor
Columbia, SC 29201

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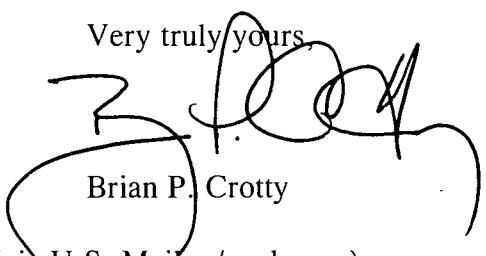
SC Court of Appeals

RE: Charles Gary v. Hattie M. Askew, Will Outlaw, and Deboria Outlaw,
individually and d/b/a Lowcountry Medical Transport, Low Country Medical
Transport, Inc., Eugene A. Kirkland, and American Medical Response, Inc.,
d/b/a Access2Care
C/A No. 2012-CP-07-43595
Appellate Case No. 2013-002674
Our File No. 27717/01501

Dear Ms. Kitchings:

Enclosed please find the original and one copy of the Initial Brief of Appellant and Designation of Matter in the above-referenced matter. We ask that you file the original and return a clocked-in copy to us via our courier.

Very truly yours,


Brian P. Crotty

Enclosure

cc: Joseph Dawson, III, Esquire (via U.S. Mail w/enclosure)
Cory Fleming, Esquire (via U.S. Mail w/enclosure)
Erin DuBose Dean, Esquire (via U.S. Mail w/enclosure)
Robert H. Hood, Esquire (via U.S. Mail w/enclosure)
Robert H. Hood, Jr., Esquire (via U.S. Mail w/enclosure)
H. Cooper Wilson, Jr., Esquire (via U.S. Mail w/enclosure)