

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APR 11 2014

SC Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Paul M. Burch, Presiding Judge

Case No. 2011-CP-26-05575

John Sifonios, individually and as agent for William Rempfer and Gary Sedlack,.....Appellant,

v.

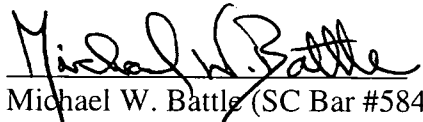
Town of Surfside Beach,.....Respondent,

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Respondents propose that the following be included in the Record on Appeal:

1. Order Granting Defendant's Motion for Summary Judgment filed July 12, 2013
2. Order Denying Motion to Alter or Amend filed August 12, 2013
3. Notice of Appeal filed September 17, 2013
4. Complaint (with Exhibits) filed July 1, 2011
5. Answer of Town of Surfside Beach filed July 25, 2011
6. Defendant's Motion for Summary Judgment filed February 15, 2013
7. Plaintiffs' Rule 59 Motion to Alter or Amend Judgment filed July 25, 2013
8. Transcript of Summary Judgment Hearing dated May 15, 2013
9. Affidavit of Jim Duckett (with exhibits) filed February 25, 2013
10. Affidavit of William Rempfer filed May 15, 2013
11. Affidavit of Gary Sedlack filed May 15, 2013
12. Minutes of Town of Surfside Beach Special Meeting held on April 15, 2011

The undersigned counsel certifies that this Designation of Matter complies with Rule 209(c) SCACR, and contains no matter which is irrelevant to the appeal.



Michael W. Battle (SC Bar #584)

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Attorneys for Respondent

Town of Surfside Beach

April 8, 2014

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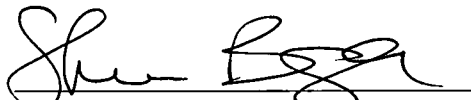
Town of Surfside Beach,.....Respondent,

PROOF OF SERVICE

Sherri Benninga certifies that she is an employee with the law firm of Battle Law Firm, LLC, attorneys for Respondent Town of Surfside Beach, and that she has mailed the Initial Brief and Designation of Matter of Respondent Town of Surfside Beach to the addressees shown this 8th day of April, 2014, with proper postage attached thereto.

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April 8, 2014

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

RE: John Sifonios v. Town of Surfside Beach, C/A # 2011 -26-5575
Appellate Case No.: 2013-001960

Dear Ms. Kitchings:

I have enclosed for filing the original and one copy of the Respondent's Initial Brief on Behalf of The Town of Surfside Beach and Designation of Matter, as well as our Proof of Service in connection with the above matter.

By copy of this letter to all counsel involved in this Appeal, I am serving them with a copy of this Brief and Designation of Matter and enclose a Proof of Service to that effect.

Please return a "clocked" copy of the Proof of Service. I have enclosed an extra copy of Proof of Service, as well as a self-addressed, stamped envelope for your convenience.

I appreciate your assistance in this matter.

Sincerely,



Michael W. Battle

Enclosure: stated.

C Robert H. Gwin, III
Micki Fellner

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