
**RESPONDENT CMC CONSTRUCTION COMPANY, INC.'S DESIGNATION OF
MATTER TO BE INCLUDED IN RECORD ON APPEAL**

Respondent CMC Construction Company, Inc. proposes that the following materials be included in the Record on Appeal:

1. Plaintiff's Complaint, September 23, 2009
2. Order Striking Case From Docket Per Rule 40(j), SCRPC
3. Order Restoring Case to Docket
4. Plaintiff's Second Amended Complaint, October 13, 2011
5. Ocean Estate Builders, Inc.'s Third Party Complaint, November 3, 2011
6. Ocean Estate Builders, Inc.'s Amended Third Party Complaint, June 11, 2012
7. Respondent's Answer to Amended Third Party Complaint, November 5, 2012
8. Plaintiff's Third Amended Complaint (erroneously captioned as "Second Amended Complaint"), February 12, 2013
9. Respondent's Answer to Third Amended Complaint (erroneously captioned as "Answer to Second Amended Complaint"), February 28, 2013
10. Respondent's Motion for Summary Judgment, April 12, 2013
11. Affidavit of Kellie Segars, August 30, 2013
12. Transcript of Hearing on Motions for Summary Judgment, September 4, 2013
13. Order Granting Summary Judgment, September 11, 2013
14. Plaintiff's Notice of Appeal, November 5, 2013

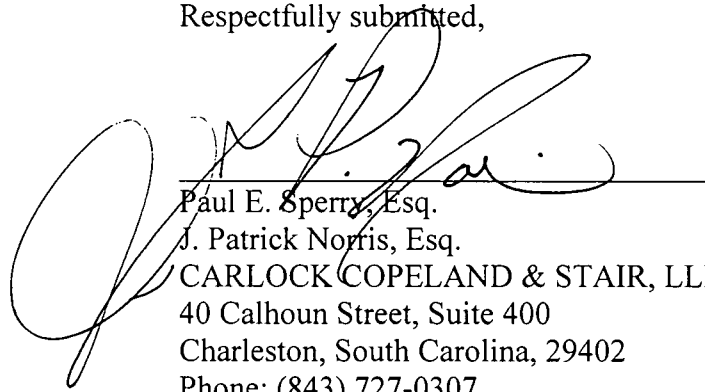
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[SIGNATURE BLOCK TO FOLLOW]

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

Respectfully submitted,

April 7, 2014

A large, stylized handwritten signature in black ink, appearing to read 'Paul E. Sperry', is written over a horizontal line. The signature is fluid and cursive, with a large initial 'P' and 'S'.

Paul E. Sperry, Esq.

J. Patrick Norris, Esq.

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**Attorneys for Respondent CMC Construction
Company, Inc.**

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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY

Carmen T. Mullen, Trial Court Judge
Civil Action No. 2011-CP-07-2700

Tad Segars

Plaintiff-Appellant,

v.

Ocean Estate Builders, Inc., Ed Flynn,
Individually, David Garcia, D/B/A Yinet
Plastering, Inc., Advanced Roofing Inc.,
And Teofilo Lezcano, Individually And
D/B/A Advanced Roofing, Inc., A/K/A
Yuko Construction, Inc, Cmc Construction
Company, Inc., And Jaguar Masonry, Inc.

Defendants,

Of Whom CMC Construction Company,
Inc.

Respondents.

**PROOF OF SERVICE OF THE
INITIAL BRIEF OF RESPONDENT AND DESIGNATION OF
MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

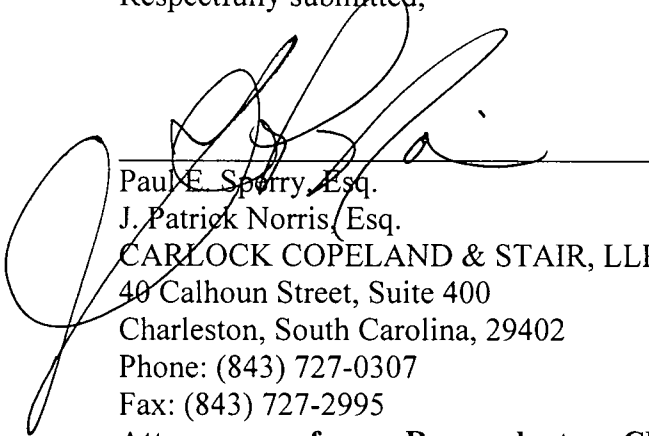
I hereby certify that on April 7, 2014, I served a copy of the within and foregoing
**Initial Brief of Respondent and Designation of Matters to be Included in the Record
on Appeal** upon all parties to this matter by depositing a true copy of same in the United
States Mail, proper postage prepaid, addressed to counsel of record as follows:

Thomas J. Finn, Esq.
Finn Law Firm, PC
Post Office Box 6003
Hilton Head Island, SC 29938

John P. Seibels, Jr.
Jason Scott Luck
Seibels Law Firm, P.A.
127 King Street, Suite 100
Charleston, SC 29401

Respectfully submitted,

April 7, 2014



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**Attorneys for Respondent CMC
Construction Company, Inc.**

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April 7, 2014

Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Segars v. CMC Construction Company, Inc.
Appellate Case No.: 2013-002384
CCS File No.: 3526-46542

Dear Ms. Kitchings:

Enclosed please find the originals and one copy each of Respondent CMC Construction Company, Inc.'s Initial Brief, Designation of Matter to be included in Record of Appeal, and Proof of Service for these documents. Please file the original and return a file-stamped copy to our office in the enclosed self-addressed, stamped envelope.

By copy of this correspondence, I have served the same upon all counsel of record. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

J. PATRICK NORRIS

JPN:amc

Enclosures

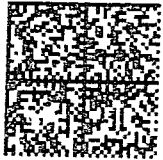
cc: Thomas J. Finn, Esq.
John P. Seibels, Esq.
Jason Scott Luck, Esq.

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**CARLOCK
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