THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM CHEROKEE COUNTY
Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge

Case No. 2013-00137

Christopher Drye, d/b/a Drye's Auto Crushing.....Respondent,

v.

Mike Gault and Mary T. Gault, d/b/a Gault's Used Cars, Total Inc., Edward Keith Potter, Individually and as President of Total Inc.....Defendants,

Of whom Mike Gault is.....Appellant.

INITIAL BRIEF OF RESPONDENT

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TABLE OF CONTENTS

TABLE OF AUTHORITIES

ARGUMENT

1. THE STANDARD OF REVIEW IS ABUSE OF DISCRETION.

"A decision on contempt rests within the sound discretion of the [circuit] court." *Floyd v. Floyd,* 365 S.C. 56, 71, 615 S.E.2d 465, 473 (Ct. App. 2005). It is within the circuit court's discretion to punish by fine **or imprisonment** every act of contempt before the court. *Miller v. Miller,* 375 S.C. 443, 454-55, 652 S.E.2d 754, 760 (Ct. App. 2007) (emphasis added). On appeal, this court should reverse the contempt decision only if it is without evidentiary support or the circuit court abused its discretion. *Floyd,* 365 S.C. at 71-72, 615 S.E.2d at 473.

2. THE COURT DID NOT ABUSE ITS DISCRETION.

The court below, Circuit Court Judge J. Mark Hayes, II, held Appellant Mike Gault ("Gault") in contempt of court after a lengthy hearing on Respondent Christopher Drye's ("Plaintiff" or "Drye") Rule to Show Cause for Contempt, which took place over the course of April 18, 2013 and June 19, 2013. *(6/19/2013[1] T. pp 1-120).* Judge Hayes did so reluctantly *(Id. p 115, lines 1-16)* after a recess to review his notes while the parties waited in the courtroom. *(Id. p 112, lines 21-24)* "The power to punish for contempt is inherent in all courts and is essential to preservation of order in judicial proceedings." *Browning v. Browning*, 366 S.C. 255, 262, 621 S.E.2d 389, 392 (Ct. App. 2005). A court's ability to find someone in contempt "is essential to the preservation of order in judicial proceedings, and to the enforcement of the judgments, orders, and writs of the courts; and consequently to the due administration of justice." *In re Terry*, 128 U.S. 289, 303, 9 S. Ct. 77, 32 L. Ed. 405 (1888) (citations omitted), quoted in *Miller v. Miller*, 375 S.C. 443, 453, 652 S.E.2d 754, 759 (Ct. App. 2007). Those who commit offenses

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[1] Dates in parenthetical references to the record mean the date of filing or, as to transcripts, the hearing date. "Transcript" is abbreviated "T.".

calculated to obstruct, degrade, and undermine the administration of justice are subject to the court's inherent authority to levy contempt, and this power cannot be abridged. *State ex rel. McLeod v. Hite*, 272 S.C. 303, 305, 251 S.E.2d 746, 747 (1979). Without the power to find individuals in contempt of court, "the administration of the law would be in continual danger of being thwarted by the lawless." *Miller*, 375 S.C. at 453-54, 652 S.E.2d at 759 (citing *Terry*, 128 U.S. at 303).

"Contempt results from the willful disobedience of a court order, and before a court may find a person in contempt, the record must clearly and specifically reflect the contemptuous conduct." *Widman v. Widman*, 348 S.C. 97, 119, 557 S.E.2d 693, 705 (Ct. App. 2001). "A willful act is one...done voluntarily and intentionally with the specific intent to do something the law forbids, or with the specific intent to fail to do something the law requires to be done; that is to say, with bad purpose either to disobey or disregard the law." *Ex parte Cannon*, 385 S.C. 643, 661, 685 S.E.2d 814, 824 (Ct. App. 2009). "Intent for purposes of criminal contempt is subjective, not objective, and must necessarily be ascertained from **all the acts, words, and circumstances surrounding the occurrence.**" *State v. Passmore*, 363 S.C. 568, 571-72, 611 S.E.2d 273, 275 (Ct. App. 2005) (emphasis added).

Gault's own authorities hold that: "[i]ncarceration under certain factual circumstances may be included as a component of civil contempt." *Miller v. Miller*, 375 S.C. 443, 458; 652 S.E.2d 754, 762 (Ct. App. 2007). A civil contempt proceeding resulting in incarceration does not require a jury trial. *Id.* (citation omitted.) "It is within the circuit court's discretion to punish by fine or imprisonment every act of contempt before the court." *Cannon*, 385 S.C. at 660, 685 S.E.2d at 763; *Ex parte Lipscomb, 398 S.C. 463, 465, 730 S.E.2d 320, 323 (Ct. App. 2012)*.

"Our sole purpose in reviewing the [circuit] court's contempt finding here is to ascertain whether evidentiary support existed for the ruling." *Miller*, 375 S.C. at 461, 652 S.E.2d at 763. In the case at bar, the trial court's Order resulted from Drye's third contempt motion *(5/22/2013 Notice of Rule to Show Cause for Contempt)* after Judge Hayes carefully considered the evidence: "**This court, based upon the other testimony that was received at this hearing,** believes that this court, as well as the plaintiff, was purposely misled, **and this court has reached that conclusion by overwhelming evidence**." *(6/19/2013 T. p 114, lines 3-6)* (Emphasis added) That evidence included testimony from Gault's former attorney Kenneth Holland *(Id. pp 4-28);* testimony of the corporate judgment debtor, Total Inc.'s, Receiver, Ben Kochenower ("Receiver") *(Id. pp 29-64)*; testimony of Gault's witness, Michael Kennedy (Id. pp 65-69); Gault's testimony (*Id. pp 70-99*); and testimony of Gault's uncle, J.L. Thompson. (*Id. pp 99-112)* The evidence also included "the acts, words, and circumstances surrounding the occurrence", *Passmore,* 363 S.C. at 571-72, 611 S.E.2d at 275, with which Judge Hayes was already very familiar, having heard evidence and issued Orders of record on several other contempt-related motions in this case:

(1) May 23, 2011 hearing and resulting Order on Drye's motion to compel discovery and the resulting Order compelling production of withheld list of the assets of Total Inc. and of Gault *(6/17/2011 Order on Motion to Compel)*;

(2) June 11, 2012 hearing and resulting Order on Drye's first motion for contempt with supporting affidavits of the Receiver and Tammy M. Ward, to the effect that Gault intimidated, threatened and refused to cooperate with the Receiver *(5/7/2012 filed Notice of Motion and Motion with attached Affidavits; 6/13/2012 Amended Order to Appoint Receiver)*;

(3) August 13, 2012 hearing *(8/13/2012 T. pp 1-97)* and resulting Order on Drye's second motion for contempt, with supporting affidavit of the Receiver, to the effect that Gault interfered with the Receiver a second time *(8/1/2012 Notice of Motion and Motion; 8/14/2012 Order on Motion for Contempt)*;

(4) April 18, 2013 hearing on Gault's motions *(4/18/2013 T. pp 1-25; 10/24/2012 Notice and Motion to Terminate Receivership and Return Personal Property; 12/13/2012 Reply of Plaintiff to Motion to Terminate Receivership and Return Personal Property;* and, *2/19/2013 Defendant Mike Gault's Motion to Dismiss Pursuant to SCRCP Rule 12(b)(1))*;

(5) June 19, 2013 reconvened hearing and resulting Order on Gault's motions and Drye's third motion for contempt *(5/22/2013 Notice of Rule to Show Cause for Contempt; 6/19/2013 T. pp 1-120; 8/6/2013 Order).*

Drye's evidence showed that prior to trial Gault's compelled interrogatory answers listed Gault's possessions as only "Clothes, Shoes, TV, DVD Player, DVD's, Bedroom Furniture, Refrigerator, Microwave"; and, at the 2011 trial Gault testified that any vehicle titled in the name "Gault's Used Cars" is actually owned by Total, Inc., which is owned entirely by Keith Potter (and not Gault). *(12/13/2012 Reply of Plaintiff to Motion to Terminate Receivership and Return Personal Property, Exhibit B and Exhibit C, 8/1/2011- 8/2/2011 T. pp 175-176)* Several months after trial, however, On March 13, 2012, when the Receiver attempted to take Total Inc.'s property to satisfy the judgment against it, Gault acted menacingly and attempted to interfere and, later, moved all the valuable items to property owned by his mother, Mary Gault, 199 Speedway Road, Gaffney SC. *(3/21/2012 Affidavit of Ben D. Kochenower; 3/21/ 2012 Affidavit of Tammy M. Ward).* Gault testified in contradiction to his interrogatory answer. In Affidavits

and at the hearing, he testified that he owned a welder (for 20 years), a Mitsubishi forklift (since 2008), a generator (since 2005) and racecar which had been seized by the Receiver. The Receiver testified by affidavit that Gault claimed to own 2 racecars, which the Receiver located and photographed *(12/13/2012 Reply of Plaintiff to Motion to Terminate Receivership and Return Personal Property, Exhibits 4 and 5; 5/22/2013 Notice of Rule to Show Cause for Contempt, Exhibits 1-5 with 5/23/2013 Affidavit of Ben D. Kochenower Receiver with Exhibit 1; 6/19/2013 T. pp 69-99)*

Gault's former attorney, Kenneth Holland, testified that he understood the Court's August 13, 2012 ruling from the bench to mean that no one was to remove property from Total Inc.'s location and that the written Order entered the following day states "No one can remove property except the receiver accompanied by a Cherokee County Sheriff's deputy." *(6/19/2013 T. p 23, lines 18-19)* From this the trial Court could reasonably infer that Mr. Holland advised his client of the meaning of the ruling.

After hearing all of the evidence, the court found that: **"[Gault] and his uncle did not present themselves as credible"** and **"the Court does not view them as credible"** *(8/6/2013 Order, p 3)* (emphasis added). "The [circuit] court was entirely within its discretion in determining the credibility of the witnesses and in assigning weight to their testimony." Miller, 375 S.C. at 461, 652 S.E.2d at 763.

"Once the moving party has made out a prima facie case [for contempt], the burden then shifts to the respondent to establish his...defense and inability to comply with the order." Ex parte Cannon, 385 S.C. 643, 661, 685 S.E.2d 814, 824 (Ct. App. 2009). Drye presented *prima facie* evidence that Gault intentionally withheld asset information in pre-trial discovery and intentionally interfered with the Receiver after entry of judgment against the corporate judgment

debtor; but Gault did not shoulder his burden to establish his defense of a good faith attempt to comply with the Court's Orders.

"If, through no fault of his own, the contemnor is unable to obey a court order, the contemnor cannot be held in contempt." *Ex parte Cannon*, 385 S.C. at 661, 685 S.E.2d at 824. "A good faith attempt to comply with the court's order, even if unsuccessful, does not warrant a finding of contempt." *Ex parte Lipscomb, 398 S.C. 463, 470, 730 S.E.2d 320, 324 (Ct. App. 2012)*. Gault misplaces his reliance on the "good faith attempt to comply" described in *Lipscomb, supra*, and in *Ward v. Washington*, 406 S.C. 249, 255, 750 S.E.2d 105, 109 (Ct. App. 2013). The facts on record cannot be spun from straw into the gold of good faith, because the *absence* of Gault's good faith is the law of the case.

The Order appealed from notes the accumulation of Gault's bad faith over time, noting that Gault's "present discovery responses" were made *after* a hearing on a prior motion to compel information withheld from answers to interrogatories; and, at that hearing on the motion to compel, **"the Court expressed its concern about [Gault's]...inadequate good faith compliance."** *(8/6/2013 Order, p 1)* (emphasis added); and Gault's **"failure to comply with this Court's prior directive when responding to the discovery requests."** *(8/6/2013 Order, p 1)* (emphasis added) Gault's brief nevertheless asserts, coyly, that he "responded in a timely manner...**after the trial court compelled him to answer."** *(Initial Brief of Appellant, p 7)* (emphasis added) The June 17, 2011 Order to compel responses resulted from Gault's *failure* to timely respond to Plaintiff's discovery requests submitted to him several months prior. *(6/15/11 Order)*

In fact, several prior (unappealed) orders establish Gault's lack of good faith compliance with the Court's Orders in this litigation. An "unchallenged ruling, right or wrong, is the law of

the case"[.] *First Union Nat'l Bank v. Soden*, 333 S.C. 554, 566, 511 S.E.2d 372, 378 (Ct. App. 1998). Also, the Amended Order to Appoint Receiver, held that "**Gault did prevent the Receiver from taking property of the judgment Debtor.**" *(6/13/2012 Order, p 1)* (Emphasis added) Later, at the hearing on August 13, 2012, the Court stated from the bench that **"there was not a [] good faith effort to coordinate and cooperate with the receiver[.]"** *(T. of 8/13/2012, pp 93-94)* (Emphasis added) And, the August 14, 2012 Order on Motion for Contempt withheld a ruling on contempt, but the court found **"that Mike Gault...has not made a good faith effort to cooperate with the Receiver."** *(August 14, 2012 Order, p 2)* (Emphasis added) Gault may not now be heard to assert his good faith as to any of these issues.

The Order appealed from, entered a year later, includes findings to which this Court usually defers, because they were made, after "**observ[ing] the witnesses when they testified as well as the substance of their testimony".** *(8/6/2013 Order, p 3)* (Emphasis added) See, *Reiss v. Reiss*, 392 S.C. 198, 205, 708 S.E.2d 799, 803 (Ct. App. 2011) ("Because this is an issue of credibility, and the [circuit] court was in a better position than this court to judge the witness's credibility, we defer to the [circuit] court's findings."). And, see, *Bodkin v. Bodkin*, 388 S.C. 203, 212, 694 S.E.2d 230, 235 (Ct. App. 2010) ("Because the [circuit] court is in a superior position to judge the witnesses' demeanor and veracity, its findings should be given broad discretion.").

Contrast the "good faith attempt to comply" in the case relied upon by Gault: In *Ward v. Washington*, 406 S.C. 249, 255, 750 S.E.2d 105, 109 (Ct. App. 2013), appellant-mother "testified she believed the order clearly prohibited Father from selecting Labor Day visitation and she was in compliance with the order in denying Father's Labor Day request." *Id.* Here - paraphrasing - Gault testified that he believed he was permitted by the August 13, 2012 ruling to remove the racecar, which he raced the next day and did not return. (6/19/2013 T. p 85) The Court below

found that **"[Gault] and his uncle did not present themselves as credible"**; *(8/6/2013 Order, p 3)* (emphasis added); **"the Court does not view them as credible"** *(8/6/2013 Order, p 3)* (emphasis added); **"the manner in which [Gault] conducts his business affairs...minimizes, if not completely eliminates, the possibility of any accountability"** *(8/6/2013 Order, p 3)* (emphasis added); **"there exists a pattern of business and personal conduct that is meant to prevent a reasonable level of accountability"** *(8/6/2013 Order, p 3)* (emphasis added); and, it found that there is a **"probability or possibility that other [concealed] assets existed at the time of the filing of the discovery[.]"** *(8/6/2013 Order, p 3)* (Emphasis added) "The [circuit] court was entirely within its discretion in determining the credibility of the witnesses and in assigning weight to their testimony." *Miller*, 375 S.C. at 461, 652 S.E.2d at 763.

In Ward, mother "also testified she relied on the advice of her counsel[.]" *Ward,* 406 S.C. at 255, 750 S.E.2d at 109. In the case at bar, Gault's present counsel implied that prior counsel (Mr. Holland) was responsible for Gault's inaccurate interrogatory answers. *(4/18/2013 T. p 20 lines 2-9)* The Court took this very seriously and ordered that Mr. Holland be called to testify at a reconvened hearing; but Gault's present counsel did not offer anything to dispel the implication that Mr. Holland had provided the false interrogatory answers. Mr. Lazenby, Gault's current counsel, simply answered "Thank you." *(4/18/2013 T. pp 22-25).* Gault's prior counsel (Mr. Holland) did testify, at the reconvened hearing, that "there is no such thing done by me". *(6/19/2013 T. p 28 lines 5-6) (8/6/2013 Order, p 2)*

In *Ward*, the Court found: "Furthermore, the family court's statement that it "understands [Mother]'s interpretation of the Order" is evidence that **Mother could have reasonably misinterpreted the order and her actions were not willful."** *Id.* 406 S.C. at 255, 750 S.E.2d at 109 (emphasis added). In the case at bar, Mr. Holland testified that he understood the Court's

ruling on August[2] 13, 2012 to forbid anyone from removing property from Gault's mother, Mary Gault's location. *(6/19/2013 T. p 25 lines 8-12)* Gault testified admitting that he removed a racecar from the property and raced it on August 14, 2012 *(6/19/2013 T. p 85 lines 15-18; p 86 lines 14-21);* and he kept it in order to race it again that Friday *(6/19/2013 T. p 87 lines 17-24)* Gault testified that he did not own the race car at the time of his pre-trial interrogatory answers. *(6/19/2013 T. p 71 line 24)* Gault admitted that he did not disclose, pre-trial, that he owned a, forklift, welder and generator. *(6/19/2013 T. p 72 line 11 to p 74, line 16)*

It is undisputed that, on the basis of Gault's pre-trial list of assets, Drye chose not to pursue an apparently uncollectible judgment against him. *(5/22/2013 Notice of Rule to Show Cause for Contempt attachment: Affidavit of Wade S. Weatherford, III)* All of the evidence, prior proceedings and prior Orders, thus amply support the trial Court's determination that Gault acted intentionally and in bad faith. No abuse of discretion has been demonstrated.

3. GAULT FAILED TO PRESERVE THE ISSUE OF THE STANDARD OF PROOF BEYOND A REASONABLE DOUBT FOR THIS APPEAL.

Gault argues that the court erred in imposing a criminal sanction for civil contempt without first finding his intentional acts "beyond a reasonable doubt", but, Gault raised no objection when the Court announced its ruling and sanction at trial. *(6/19/2013 T. pp 112-119)* The general rule of issue preservation is that if an issue was not raised and ruled upon below, it will not be considered for the first time on appeal. State v. Dunbar, 356 S.C. 138, 587 S.E.2d

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[2] The transcript shows Mr. Lazenby mis-stating the date of the hearing as "October 13, 2012"; but it is undisputed that the date of the hearing was August 13, 2012. The Court's ruling was stated from the bench; the written order was issued the following date, August 14 2012. *(6/19/2013 T. p 20 line14)* The Receiver's affidavits and testimony allege that he photographed two racecars on Total Inc.'s property on the date of the hearing, but one was removed by the time he returned on August 15, 2012. *(6/19/2013 T. pp 35-37) (5/23/2013 Affidavit of Ben Kochenower Receiver)*

691 (2003); *State v. Lee*, 350 S.C. 125, 564 S.E.2d 372 (Ct. App. 2002). Our courts have "consistently refused to apply the plain error rule." *Jackson v. Speed*, 326 S.C. 289, 306, 486 S.E.2d 750, 759 (1997) (citations omitted). "Instead, we have held: it is the responsibility of counsel to preserve issues for appellate review." *State v. Passmore*, 363 S.C. 568, 583, 611 S.E.2d 273, 281 (Ct. App. 2005) (citation omitted) (holding that appeal from an unconstitutionally lengthy criminal contempt sentence was not preserved because the appellant failed to raise an objection at trial). "The Supreme Court [] has consistently held that a challenge to sentencing must be raised at trial, or the issue will not be preserved for appellate review." *Id.*, 363 S.C. at 585, 611 S.E. 2d at 282 (citation omitted).

Further, an objection alone is insufficient, without a ruling. Moreover, Gault's own cited authorities agree on this issue. See, *Ex parte Cannon*, 385 S.C. 643, 669, 685 S.E.2d 814, 828 (Ct. App. 2009) ("An issue must be raised to and ruled upon by the court to be preserved for appellate review.") See also, *Miller v. Miller*, 375 S.C. 443, 461, 652 S.E.2d 754, 763 (Ct. App. 2007) ("[A]ppellant waived issue of nonconformity between oral order and subsequent written order by failing to raise [the] issue below.")

Here, the trial court ruled in open court at the conclusion of the June 19, 2013 hearing. In a lengthy colloquy showing that it applied a very strict standard of proof, even though it did not explicitly use the phrase "beyond a reasonable doubt": "**This court, based upon the other testimony that was received at this hearing, believes that this court, as well as the plaintiff, was purposely misled, and this court has reached that conclusion by overwhelming evidence.**" *(6/19/2013 T. p 114, lines 3-6)* (Emphasis added) It noted that Gault is essentially judgment proof and that no other sanction would be meaningful: **"[T]here is no remedy that I can issue other than have him locked up. I have no other remedy, and that's going to be my**

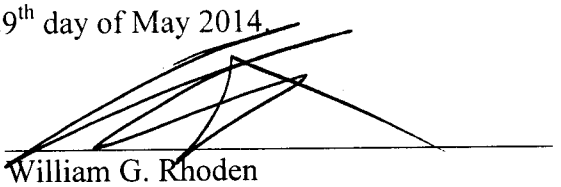
decision today." *(*6/19/2013 T. p 115, lines 14-16) (Emphasis added) **"This court has to craft a sanction**. *(6/19/2013 T. p 114, line 7)* (Emphasis added) It noted the significance of its contempt finding: "**I do not exercise my contempt authority lightly. I believe that I have established a record where I have given the defendant that benefit.**" *(6/19/2013 T. p 115, lines 1-3)* (Emphasis added)

Moreover, the Court *invited* Gault to object or suggest an alternative sanction: **"I may be wrong and I'm willing to again give the defendant that benefit to show me, but based upon what I hear in this case, what I have heard in this case, this is a fraud."** *(6/19/2013 T. p 116, lines 7-10)* (Emphasis added) No objection was forthcoming, even though the court again invited objections or argument, and gave ten days to do so: "**I would like to do it within the next ten days...I would like to be able to consult with the lawyers to see what their schedule is like to see when might be convenient for y'all...maybe y'all need to do to address my concerns... If y'all want to talk while – you know, after I step down and tomorrow sometime get back with me as to maybe an alternative resolution...**" (*6/19/2013 T. p* 116, lines 16-24) (Emphasis added) The record reflects no objection and no additional or reconvened hearing on the matter. Instead, Gault filed his notice of appeal and writ of supersedeas two days later, without having preserved the issue. (6/21/ 2013 Notice of Appeal; Writ of Supersedeas) As a result, the issue is waived.

CONCLUSION

On the basis of all of the above and foregoing, it is respectfully requested that this Honorable Court affirm the August 6, 2013 Order of Hon. J. Mark Hayes, II in this matter.

Respectfully submitted, this 29th day of May 2014.



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Of whom Mike Gault is.....Appellant.

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

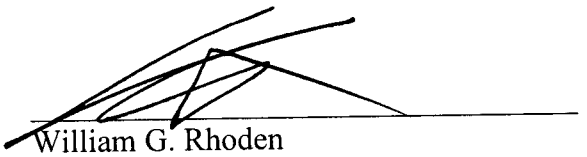
Respondent hereby designates the following material to be included in the Record on Appeal in addition to the material proposed by Appellant:

1. May 7, 2012 Notice Of Motion And Motion with attached affidavit;
2. Transcript Pages 1-[End] Of June 11, 2012 Hearing Before Hon. J. Mark Hayes, II;
3. June 13, 2012 Amended Order To Appoint Receiver;

4. August 1, 2012 Notice Of Motion And Motion;
5. Transcript Pages 1-97 Of August 13, 2012 Hearing Before Hon. J. Mark Hayes, II;
6. August 14, 2012 Order On Motion For Contempt;
7. October 24, 2012 Notice And Motion To Terminate Receivership And Return Personal Property;
8. December 13, 2012 Reply Of Plaintiff To Motion To Terminate Receivership And Return Personal Property with exhibits;
9. February 19, 2013 Defendant Mike Gault's Motion To Dismiss Pursuant To SCRCP Rule 12(b)(1);
10. April 11, 2013 Plaintiff's Reply To Defendant Mike Gault's Motion To Dismiss Pursuant To SCRCP Rule 12(b)(1);
11. Transcript Pages 1-25 Of April 18, 2013 Hearing Before Hon. J. Mark Hayes, II;
12. May 22, 2013 Notice Of Rule To Show Cause For Contempt with exhibits;
13. Transcript Pages 1-120 Of June 19, 2013 Hearing Before Hon. J. Mark Hayes, II;
14. June 21, 2013 Order Of The South Carolina Court Of Appeals, Hon. Jasper M. Cureten;
15. March 21, 2012 Affidavit of Ben D. Kochenower;
16. March 21, 2012 Affidavit of Tammy M. Ward.

I certify that no information is included in this Designation that is irrelevant.

May 29, 2014.



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CERTIFICATE OF SERVICE

By my signature below, I certify that I have served all parties and/or their counsel with the above and foregoing **DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL** by depositing it in an official United States Postal Service receptacle, with adequate postage, addressed as follows:

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Ginger D. Goforth
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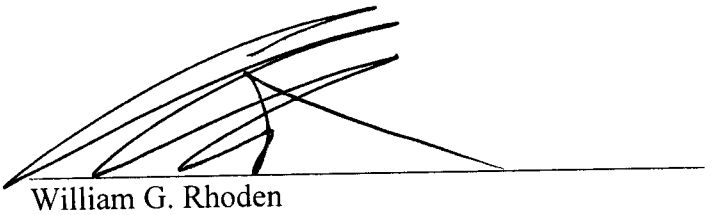
Attorneys for Appellant

This 29th day of May 2014



William G. Rhoden

CERTIFICATE OF SERVICE

By my signature below, I certify that I have served all parties and/or their counsel with the above and foregoing **INITIAL BRIEF OF RESPONDENT** by depositing it in an official United States Postal Service receptacle, with adequate postage, addressed as follows:

D. Alan Lazenby
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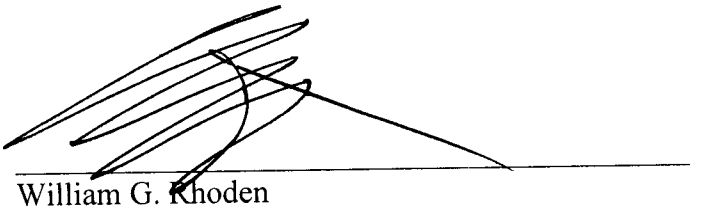
Attorneys for Appellant

This 29th day of May 2014



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