

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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JUN 09 2014

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

**SC Court of Appeals**

Larry B. Hyman, Circuit Court Judge

Case No. 2013-002133

Stephanie A. Smith, on behalf of herself and all others similarly situated . . . . . Appellant

v.

Progressive Halcyon Insurance Company, n/k/a Progressive Direct Insurance Co., Progressive Max, and Progressive Casualty Insurance . . . . . Respondents

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RESPONDENTS' DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL

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Respondents hereby designate the following matters:

1. Second Amended Complaint;
2. Defendants' Motion for Summary Judgment, dated October 31, 2012;
3. Brief in Support of Defendants' Motion for Summary Judgment, dated October 31, 2012;
4. Exhibits to Defendants' Motion for Summary Judgment:
  - a. Insurance Policy, Part II, Insuring Agreement
  - b. Dorothy Lange affidavit, dated September 14, 2012, and exhibits 1-3
  - c. Michael Uth affidavit, dated December 9, 2011

- d. Dorothy Lange Dep. p. 38 (June 1, 2012)
  - e. Stephanie Smith Dep. pp. 17-18 (August 30, 2011)
  - f. Peter Goodchild Dep. pp. 19-21 (October 19, 2011)
  - g. Dorothy Lange Dep. pp. 18, 21, 24-25, 51, 70, 86-87, 102-03, 107, 111, 116-17, 123 (August 3, 2011)
  - h. Peter Goodchild Dep. pp. 24-25, 61-62, 67-68, 72, 85 (October 19, 2011)
  - i. Elizabeth Zaner Dep. pp. 18-19, 27-29, 31, 39-40, 43-44 (October 19, 2011)
  - j. Douglas Kirk Dep. pp. 19-20, 32-33 (November 30, 2011)
5. Order Granting Class Certification, dated February 14, 2013
  6. Defendants' Motion for Reconsideration, dated February 22, 2013
  7. Memorandum in Support of Defendants' Motion for Reconsideration, dated May 24, 2013
  8. Exhibits to Defendants' Motion for Reconsideration, dated May 24, 2013:
    - a. Insurance Policy, Part II, Insuring Agreement
    - b. Dorothy Lange affidavit, dated September 14, 2012, and exhibits 1-3
    - c. Stephanie Smith Dep. pp. 55-56 (August 30, 2011)
    - d. Michael Uth affidavit, dated December 9, 2011
    - e. Elizabeth Zaner Dep. pp. 27-31, 46, 63 (October 19, 2011)
    - f. Dorothy Lange Dep. pp. 21, 25 (August 3, 2011)
    - g. Reasons Progressive May Refuse a Claim
    - h. Michael Silver Dep. pp. 19, 27-28, 40 (July 6, 2011)
  9. Order on Motion for Reconsideration, dated August 20, 2013

I certify that this designation contains no matter irrelevant to the appeal.

June 6, 2014.



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