

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Hon. S. Jackson Kimball, III
Master in Equity

Appellate Case No. 2014-000730

Earl Dukes, Appellant

v.

Kennith W. Farrell, Mary C. Farrell and Martin Brogdonovich,
Defendants, of whom Kenneth W. Farrell are the Respondents.
Martin Brogdonovich, Third-Party Plaintiff,

v.

Marshall A. Reynolds, Christina A. Reynolds, Fisher-Sherer, Inc., Robert
P. Medford, Lutzel Broadway & Associates, PC, and Tina Patrick-
Broadway, Third-Party Defendants.

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

Appellant Earl C. Dukes hereby submits its proposed designation of matter for the record on appeal in this case pursuant to SCACR 209(b), and Appellant counsel here certifies pursuant to SCACR 210(c) the designated matter contains no material not relevant to the appeal. Appellant designates the following matters for inclusion within the Record on Appeal:

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1. Dukes Summons and Complaint filed August 19, 2011.
2. Farrell Answer and Counterclaims filed October 7, 2011.
3. Dukes Reply to Counterclaims filed October 28, 2011.
4. February 14, 2012 Order re: Rule 12(b)(6) of Farrell Defendants
5. Brogdonovich Answer, Third Party Complaint May 14, 2012.
6. June 17, 2013 Deposition Transcript Kenneth W. Farrell (and exhibits)
7. June 17, 2013 Plaintiff memorandum in support of Summary Judgment
8. August 26, 2013 Plaintiff Request for Admission of Facts to Farrell
9. October 16, 2013 Defendant Farrell Memorandum in Opposition to Plaintiff Motion for Summary Judgment
10. October 17, 2013 Transcript of Record – Plaintiff Dukes Motion for Summary Judgment.
11. November 13, 2013 Order denying Plaintiff Motion for Summary Judgment
12. March 13, 2014 Transcript of Record – Defendant Farrell Motion for Summary Judgment
13. March 14, 2014 Transcript of Record – Continuation of Defendant Farrell Motion for Summary Judgment
14. March 31, 2014 Deposition Transcript of Dennis K. Edwards (and exhibits)
15. April 3, 2014 Trial Court Order granting Partial Summary Judgment to Farrell Defendants.
16. Defendant memorandum in support of Summary Judgment arguments heard March 13 / March 14, 2014
17. Plaintiff memorandum in opposition of Summary Judgment arguments heard March 13 / March 14, 2014 and Dockmaster Affidavit
18. April 4, 2014 Order for Partial Summary Judgment to Farrell Defendants.

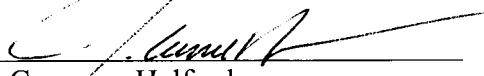
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Respectfully submitted,

Halford Niemiec & Freeman, L.L.P.



J. Cameron Halford
238 Rockmont Drive,
Fort Mill, South Carolina 29708
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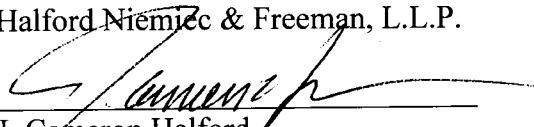
August 7, 2014
Fort Mill, SC

PROOF OF SERVICE

I hereby certify that I am the attorney for the Appellant in the above case and that I did no August 7, 2014 serve a copy of the foregoing APPELLANT DESIGNATION OF MATTERS FOR RECORD ON APPEAL AND SCACR 201(C) CERTIFICATION BY APPELLANT COUNSEL on counsel for the Defendant by email and by depositing a copy of the same in the United States mail, postage prepaid, and addressed as follows:

John Martin Foster, Esq.
Law Offices of John Martin Foster
223 E. Main Street, Suite 520
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Attorney for Kenneth W. Farrell and Mary C. Farrell

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