

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge

Case No. 2013-002435
Trial Court Case No. 2011-CP-23-07943

John Deere Financial, f.s.b., f/k/a FPC Financial, f.s.b. Plaintiff,

vs.

Jerry A. Bruce, Defendant/Third Party Plaintiff

vs.

Flint Equipment Co., Third Party Defendant

Of which

Jerry A. Bruce,
(Third Party Plaintiff) Respondent

vs.

Flint Equipment Co.
(Third Party Defendant) Appellant.

**APPELLANT'S DESIGNATION OF MATTERS TO BE
INCLUDED IN THE RECORD ON APPEAL**

RECEIVED

AUG 25 2014

SC Court of Appeals

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Appellant FLINT EQUIPMENT CO. hereby designates the following to be included in the Record on Appeal:

- 1) Financial Application dated 6/7/2010;
- 2) Plaintiff John Deere Financial's Summons and Complaint;
- 3) Answer of Defendant Jerry A. Bruce to John Deere Financial's Complaint;
- 4) Defendant Jerry A. Bruce's Motion to file a Third Party Complaint;
- 5) Summons and Third-Party Complaint of Jerry A. Bruce Against Flint Equipment Co.;
- 6) Affidavit of Service by Mail of Summons and Third-Party Complaint;
- 7) Motion Coversheet to Add Additional Parties;
- 8) Order (Form 4) Granting Motion to Add a Party;
- 9) Motion and Affidavit of Default for Third Party Defendant Flint Equipment Co.;
- 10) Order of Default and Order Setting Damages Hearing;
- 11) Letter to CT Corporation System forwarding Summons and Complaint of Third Party Plaintiff against Third Party Defendant;
- 12) Affidavit of Service by Mail of Summons and Complaint of Third Party Plaintiff against Third Party Defendant;
- 13) Flint Equipment Co.'s Notice of Motion and Motions to Set Aside Default Entry or Default Judgment and for Leave to File Answer;
- 14) Flint Equipment Co.'s Memorandum of Law in Support of Motions to Set Aside Reentry of Default or Default Judgment, if entered and to File Late Answer;
- 15) Flint Equipment Co.'s Notice of Motion and Motion to Dismiss the Third Party Complaint Pursuant to SCRCP Rule 12(b);


- 16) Flint Equipment Co.'s Memorandum in Opposition to Third Party Defendant's Motion to Set Aside Default Entry or Default Judgment and for Leave to File Answer;
- 17) Flint Equipment Co.'s Revised Memorandum of Law in Support of Motions to Set Aside Entry of Default or Default Judgment, if Entered and to File Late Answer;
- 18) Proposed Answer of Flint Equipment Co.;
- 19) Affidavit in Support of Motion to Set Aside Default;
- 20) Memorandum in Opposition to Third Party Defendant's Motion to Set Aside Default Entry or Default Judgment and For Leave to File Answer;
- 21) Revised Memorandum of Law in Support of Motions to Set Aside Entry of Default or Default Judgment, if Entered, and to File Late Answer;
- 22) Transcript of Record of Default Motion Hearing;
- 23) Judgment (Form 4) denying Flint Equipment Co.'s Motion to Set Aside Default Judgment;
- 24) Attorney Fee Affidavit;
- 25) Letter from Attorney Joseph Moore to Attorney O. W. Bannister regarding proposed changes to Order denying Flint Equipment's motion to set aside the default;
- 26) Third Party Defendant's Motion Pursuant to SCRCF Rule 59(e) to Alter or Amend Order Denying Third Party Defendant's Motion to Set Aside Default and for Leave to File Answer;
- 27) Order denying Flint Equipment's Motion to Set Aside Default;
- 28) Judgment (Form 4) and Order of Judgment Against Flint Equipment Company;
- 29) Third Party Defendant's Amended Motion Pursuant to SCRCF Rule 59(e) to Alter or Amend Order Denying Third Party Defendant's Motion to Set Aside Default and for Leave to File Answer;

- 30) Order denying Third Party Defendant's motion pursuant to SCRCR Rule 59(e) to alter or amend order denying third party defendant's motion to set aside default and for leave to file answer;
- 31) Third Party Defendant's Combined Motion and Memorandum of Law to Reconsider and/or Alter or Amend the Judgment Against Flint Equipment Company;
- 32) Order denying Third Party Defendant's Combined Motion and Memorandum of Law to Reconsider and/or Alter or Amend the Judgment against Flint Equipment Company;
- 33) Order denying Third Party Defendant's Amended Motion and Memorandum pursuant to SCRCR Rule 59(e) to Alter or Amend the Order Denying Third Party Defendant's Motion to Set Aside Default and For Leave to File an Answer; and
- 34) Notice of Appeal

Appellant certifies that it has included only material that is relevant to the appeal.

Respectfully submitted,

SMITH MOORE LEATHERWOOD, LLP

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Dated: August 22, 2014

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