

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Appellate Case No. 2014-001267
Circuit Case No. 2009-CP-10-3010

In the matter of the Estate of Alice Shaw Baker.

Betty Fisher and Lisa Fisher,Appellants

v.

Bessie Huckabee, Kay Passailague Slade,
Sandra Byrd, and Henry McMaster, in his Capacity as Attorney General, Defendants,

Of whom Bessie Huckabee, Kay Passailague Slade, and Sandra Byrd,
.....Respondents

**DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD
OF APPELLANTS**

JOHN HUGHES COOPER, ESQUIRE
1476 Ben Sawyer Blvd. Ste. 7
Mount Pleasant, SC 29464
shiplaw@jhcooper.com
843-883-9099; fax 843-883-9335

(Attorney for Appellant)

Appellant hereby designates the following matter to be included on Appeal:

ORDERS AND JUDGMENTS:

1. Consent Order for Substitution of Counsel filed October 14, 2013
2. Form 4-Judgment in a Civil Case filed February 4, 2014
3. Form 4-Judgment in a Civil Case filed May 7, 2014
4. Court of Appeals March 4, 2011 Order, Case no. 2009-ES-10-0378/F

PLEADINGS

5. Verified Complaint, Addendum to Petition for Formal Testacy and Appointment filed on April 27, 2009
6. Motion by Plaintiffs Betty Fisher and Lisa Fisher to Disqualify and Remove Opposing Counsel Peter Kouten due to Non-Waivable Conflict of Interest filed on August 1, 2012
7. Memorandum Opposing Disqualification and Removal of Counsel filed on November 12, 2012
8. Motion by Plaintiffs Betty Fisher and Lisa Fisher to Reconsider, Alter, Amend, and Vacate February 10, 2014 [sic, February 4, 2014] Order Denying Motion To Disqualify and Remove Opposing Counsel Peter Kouten due to Non-Waivable Conflict of Interest; Memorandum of Law; Affidavit of Lisa Fisher filed on February 18, 2014
9. Objections and Oppositions by Plaintiffs Betty Fisher and Lisa Fisher to Notice of Appearance filed by counsel W. Westbrook Wills on August 6, 2013
10. Notice of Appeal filed June 10, 2014

EXHIBITS IN SUPPORT OF MOTIONS TO DISQUALIFY AND RECONSIDER

11. Visitor's Report filed by Attorney Kouten on October 20, 2008 marked as Exhibit A
12. Monthly Visitor's Report by Attorney Kouten filed on December 23, 2008 marked as Exhibit B
13. Order and Bill for Services to Alice Shaw Baker in the amount of \$4,500.84 dated November 12, 2008 marked as Exhibit C

14. Email from Attorney Kouten dated December 23, 2008 marked as Exhibit D
15. Email from Attorney Kouten dated December 18, 2008 marked as Exhibit E.
16. Email from Attorney Kouten dated January 16, 2009 marked as Exhibit F
17. Email from Attorney Kouten dated January 2, 2009 marked as Exhibit G
18. Letter from Kouten to Jane Orenstein dated January 5, 2009 marked as Exhibit H
19. Email from Kouten dated January 10, 2009 marked as Exhibit I
20. Weekly Report from Attorney Kouten re: Alice Shaw Baker's care dated December 12, 2008 marked as Exhibit J
21. Invoice from Attorney Kouten requesting payment of fees in the amount of \$1,275.00 dated January 5, 2009 marked as Exhibit K
22. Order from Attorney Kouten regarding his fees for December 12 to December 29 marked as Exhibit L
23. Email dated January 14, 2009 from Attorney Kouten marked as Exhibit M
24. Letter to Elizabeth Sykes of the Probate Court dated January 14, 2009 marked as Exhibit N
25. Petition for Informal Probate seeking the appointment of Defendant Huckabee dated March 10, 2009 marked as Exhibit O
26. Answer filed on behalf of Defendants by Attorney Kouten dated May 28, 2009 marked as Exhibit P
27. Affidavit of Mark Hardee marked as Exhibit Q in the Motion to Reconsider

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TRANSCRIPTS:

28. Transcript dated November 28, 2012, pp. 1-3, 34-46

CERTIFICATE OF COUNSEL:

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

August 25, 2014

RESPECTFULLY SUBMITTED,

JOHN HUGHES COOPER, P.C.

By: 

JOHN HUGHES COOPER, ESQUIRE

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Appellate Case No. 2014-001267
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In the matter of ALICE SHAW BAKER.

BETTY FISHER and LISA FISHER.....Appellants

v.

BESSIE HUCKABEE, KAY PASSAILAGUE SLADE, SANDRA BYRD, and HENRY
MCMASTER, in his Capacity as Attorney General of South Carolina, Defendants

Of whom BESSIE HUCKABEE, KAY PASSAILAGUE SLADE, and SANDRA BYRD are
the.....Respondents

PROOF OF SERVICE

I certify that I have served the **Initial Brief of Appellants and Designation of Matters to be Included in Record** upon Respondents and upon the Attorney General by depositing a copy of it in the United States Mail, postage prepaid, on August 26, 2014, addressed as follows:

RECEIVED

AUG 29 2014

SC Court of Appeals

Hon. Mary Frances Jowers, Assistant Attorney General
P.O. Box 11549
Columbia, SC 29211
(By email)

Peter A. Kouten, Esquire
Kouten Law Firm, LLC
P.O. Box 340
Johns Island, SC 29457

W. Westbrook Wills III, Esquire
38 Broad Street Ste. 200
Charleston, SC 29401

August 26, 2014

RESPECTFULLY SUBMITTED,

JOHN HUGHES COOPER, P.C.

By: 

JOHN HUGHES COOPER, ESQUIRE

Federal Court ID 298

South Carolina Bar 1387

State Bar of Georgia 185986

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ATTORNEYS FOR APPELLANTS