THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

J. Ernest Kinard, Jr., Circuit Court Judge

Case No. 2007-CP-07-2372

Matthew S. McAlhaney, ... Respondent,

v.

Richard K. McElveen a/k/a Richard K. McElveen,
Sr., Individually and d/b/a Battery Creek Marina,
The Great Pumpkin, LLC, Linda McElveen,
Richard K. McElveen, Jr., and Billy Joe Byrd, ... Defendants.

Of whom, Richard K. McElveen, Sr., is the . . . . . Appellant.

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

The Respondent, Matthew S. McAlhaney, proposes the following be included in the Record on Appeal:

1. Transcript of Proceedings of January 11, 2010 prepared by Hilda Jordan:

   pp. 112-14;123-25; 126-128; 135-36; 140-41.

2. Transcript of Proceedings of January 12-14, 2010, prepared by Brenda Sigwald:

   pp. 15-20; 24-25; 28-30; 32; 35-36; 38; 48-49; 50-53; 57-58; 69-74; 79-90; 95; 109-111; 123; 130-132; 139; 142-144; 156-57; 163; 167-170; 174-176; 186-187; 195-198; 246; 261-262; 266-267; 269-270; 292-298; 302; 305-308; 315-317; 321-322; 344-345; 352-

355; 361-362; 377-384; 391; 393; 396-398; 400-404; 409; 421-22; 426-427; 447-448; 453-457; 476-479; 493; 504-512; 542-546; 548; 552; 554-555; 557-558; and 568.

2. Complaint of Matthew S. McAlhaney, July 29, 2005.

3. Plaintiff's Exhibits 1-16.

4. Verdict Form, dated January 15, 2010.

5. Defendants Richard K. McElveen, Sr., Linda McElveen and Richard K. McElveen, Jr.'s Motions for JNOV, New Trial Absolute and New Trial Nisi Remittitur dated January 21, 2010.

6. Defendants Richard K. McElveen, Sr., and Richard K. McElveen, Jr.'s Motions for Review of Punitive Damages Awards, dated January 21, 2010.

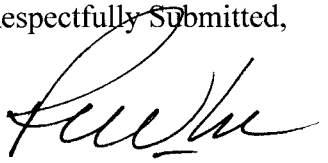
7. Transcript of Hearing dated January 21, 2010.

8. Order of the Honorable J. Ernest Kinard, dated July 1, 2010.

9. Defendants' Request to Charge No. __, Defamation-Specific Charge on Damages.

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

Respectfully Submitted,



By: _____

Robert V. Mathison, Jr.,
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Hilton Head Island, SC 29928

Louis O. Dore
Dore Law Firm, PA
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Beaufort, SC 29901

September 8, 2014

ATTORNEYS FOR THE RESPONDENT
Matthew S. McAlhaney

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

J. Ernest Kinard, Jr., Circuit Court Judge

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SC Court of Appeals

Case No. 2007-CP-07-02373

Court of Appeals Tracking No. 2010167969

Matthew S. McAlhaney, ... Respondent,

v.

Richard K. McElveen a/k/a Richard K. McElveen, Sr., Individually and d/b/a Battery Creek Marina, The Great Pumpkin, LLC, Linda McElveen, Richard K. McElveen, Jr., and Billy Joe Byrd, ... Defendants,

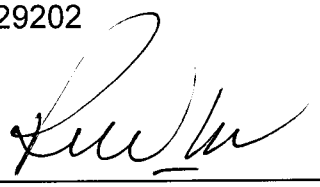
Of whom Richard K. McElveen, Sr., is the . . . . . Appellant.

PROOF OF SERVICE

I, Robert V. Mathison, Jr., hereby certify that on September 8, 2014, I filed and served the originals and copies of the Initial Brief of the Respondent dated September 6, 2014, and the Respondent's Designation of Matter To Be Included in the Record on Appeal dated September 8, 2014, by delivering same to the South Carolina Court of Appeals and to counsel for the Appellant at the addresses set forth herein below on the following page.

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court
of Appeals
1015 Sumter Street
Columbia, SC 29201

Blake A. Hewitt, Esquire
Bluestein Nichols Thompson &
Delgado
1614 Taylor Street
Columbia, SC 29202



Robert V. Mathison, Jr.
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ROBERT V. MATHISON, JR. KERRY F. MATHISON

September 8, 2014
HAND DELIVERED

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court
Of Appeals
1015 Sumter Street
Columbia, SC 29201

Re: Matthew S. McAlhaney v. Richard K. McElveen, Sr., et al.
Case No. 2007-CP-07-02373
Tracking No. 2010167969

Dear Ms. Kitchings:

Enclosed for filing please find the originals of each of the following documents:

1. The Initial Brief of the Respondent dated September 6, 2014;

2. The Respondent's Designation of MatterTo Be Included in the Record on Appeal dated September 8, 2014; and

3. The Proof of Service for Items 1 and 2 above.

With kind regards, I am

Sincerely,

Robert V. Mathison, Jr.

RVM:bh
Enclosures
cc: Blake A. Hewitt, Esquire
Louis O. Dore, Esquire
Mr. Matthew S. McAlhaney.

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