

IN THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

Appellate Case Number: 2014-000338

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Kristi L. Harrington, Circuit Court Judge

Case Number 2011-CP-10-4348

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Thomas Easterling.....Appellant,

v.

Burger King Corporation and Capital Restaurant Group, LLC.....Respondents.

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**RESPONDENTS' DESIGNATION OF MATTER**

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Pursuant to Rule 209, SCACR, Respondents Burger King Corporation and Capital Restaurant Group, LLC propose that the following be included in the Record on Appeal:

1. Complaint
2. Answer
3. Defendants' Motion for Summary Judgment
4. Defendants' Memorandum in Support of Summary Judgment
5. Transcript of Summary Judgment Hearing
6. Form 4 Order Granting Defendants' Motion for Summary Judgment
7. Form 4 Order Denying Plaintiff's Motion for Reconsideration
8. Deposition of Thomas Easterling
9. Deposition of Kimberly Jones, with Exhibits
10. Deposition of George Kirkham, with Exhibits
11. Deposition of Deputy Will Muirhead
12. Defendants' Response to Plaintiff's Second Set of Requests for Production – OPS Manual\_068, 02 Management, Safety, and Security
13. Defendants' Response to Plaintiff's Second Set of Requests for Production – Burger King Basic Management Training Day 1 Power Point Presentation
14. 7/8/08 Incident Report and Supplemental Incident Reports

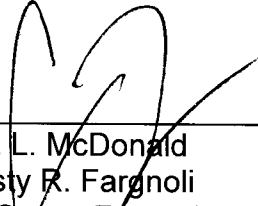
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SEP 25 2014

**SC Court of Appeals**

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

CLAWSON & STAUBES, LLC



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John L. McDonald  
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ATTORNEYS FOR RESPONDENTS

Charleston, South Carolina

September 22, 2014

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

Appellate Case Number: 2014-000338

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**CERTIFICATE OF SERVICE**

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I certify that I have served the Respondent's Initial Brief and Designation of Matter on all counsel by depositing a copy of it in the United States Mail, postage prepaid, on September 22, 2014, addressed to all attorneys of record as follows:

D. Ellis Roberts, Esquire  
McLeod Law Group, LLC  
3 Morris Street, Suite A  
Charleston, SC 29403-6108

CLAWSON AND STAUBES, LLC



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Attorneys for the Respondents

Charleston, South Carolina  
September 22nd 2014

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**SC Court of Appeals**



Christy R. Fagnoli  
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September 22, 2014

File No.: 20110691.000

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211-1629

Re: Thomas Easterling, Appellant v. Burger King Corporation and Capital Restaurant Group, LLC, Respondents  
Appellate Case No.: 2014-000338  
Appeal From: Charleston County Court of Common Pleas  
Kristi L. Harrington, Circuit Court Judge  
Case No.: 2011-CP-10-4348

Dear Ms. Kitchings:

Enclosed please find the original and one copy each of the Respondents' Designation of Matter, Initial Brief of Respondents, and Certificate of Service with regard to the above-captioned case. Please file same and return file-marked copies in the enclosed return envelope provided.

By copy of this letter to counsel of record, I am forwarding a copy of the Respondents' Designation of Matter, Initial Brief of Respondents, and Certificate of Service.

Thank you very much for your attention to the above.

Very truly yours,

CLAWSON and STAUBES, LLC

  
Christy R. Fagnoli

CRF/keb  
Enclosure(s)

cc: D Ellis Roberts, Esq. (via US Mail and email w/enclosures)

**RECEIVED**

SEP 25 2014

**SC Court of Appeals**