

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ABBEVILLE COUNTY
Court of Common Pleas

Eugene C. Griffith, Jr , Circuit Court Judge

Case No. 2012-CP-01-00306
Appellate Case No. 2014-00946

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SEP 22 2014

SC Court of Appeals

Richard Wilson, Michael J Antoniak, Jr , Marsha L. Antoniak,
Anita L. Belton, Prescott Darren Bosler, Johnny Calhoun, Sallie
Calhoun, Cynthia Gary, Robert Wayne Gary, Eugene P. Lawton,
Jr., Jeanette Norman, James Robert Shirley, Robert W. Spires,
Crystal Spires Wiley, Lewis S. Williams, Janie Wiltshire, Benjamin
Franklin Wofford, Jr., and Rebecca Hammond Wofford, Respondents,

v.

Laura B Willis and Jesse A Dantice, individually, and as
agents and/or brokers for Southern Risk Insurance Services LLC,
Travelers Casualty Insurance Company of America, Allied Property and
Casualty Insurance Co., Peerless Insurance Co., Montgomery Mutual
Insurance Co., Safeco Insurance Co. of America, and Foremost
Insurance Co , Southern Risk Insurance Services, LLC, Travelers
Casualty Insurance Co. of America, Allied Property and Casualty
Insurance Co., Peerless Insurance Co., Montgomery Mutual Insurance
Co , Safeco Insurance Co. of America, and Foremost Insurance Co.....Defendants,

Of whom Peerless Insurance Co., Montgomery Mutual Insurance
Co , and Safeco Insurance Co of America are Appellants.

**RESPONDENTS' DESIGNATION OF MATTER
FOR THE RECORD ON APPEAL**

Pursuant to Rule 209, SCACR, Respondents Richard Wilson, Michael J. Antoniak,
Jr., Marsha L. Antoniak, Anita L. Belton, Prescott Darren Bosler, Johnny Calhoun, Sallie
Calhoun, Cynthia Gary, Robert Wayne Gary, Eugene P. Lawton, Jr., Jeanette Norman, James

Robert Shirley, Robert W. Spires, Crystal Spires Wiley, Lewis S. Williams, Janie Wiltshire, Benjamin Franklin Wofford, Jr., and Rebecca Hammond Wofford submit their designations of matter for inclusion in the Record on Appeal. These designations are in addition to the matters designated by opposing counsel in the Appellants' Designation of Matter. Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that this designation contains no matter which is irrelevant to the appeal.

ORDERS

1. Confidentiality Order. Filed August 9, 2013 and applicable to 2012-CP-01-306.
2. Order Denying the Insurers' Motion to Compel Arbitration. Filed March 25, 2014 and applicable to Civil Action Nos. 2012-CP-01-306, 2012-CP-01-340, 2012-CP-01-341, 2012-CP-01-342, 2012-CP-01-343, 2013-CP-01-044, 2013-CP-01-045, 2013-CP-01-066, 2013-CP-01-073, 2013-CP-01-094, 2013-CP-01-123, 2013-CP-01-124, 2013-CP-01-220, and 2013-CP-01-221.
3. Scheduling Order. Filed March 26, 2014 and applicable to 2012-CP-01-306.
4. Order Denying the Insurers' Motion for Reconsideration. Filed April 21, 2014 and applicable to Civil Action Nos. 2012-CP-01-306, 2012-CP-01-340, 2012-CP-01-341, 2012-CP-01-342, 2012-CP-01-343, 2013-CP-01-044, 2013-CP-01-045, 2013-CP-01-066, 2013-CP-01-073, 2013-CP-01-094, 2013-CP-01-123, 2013-CP-01-124, 2013-CP-01-220, and 2013-CP-01-221.

PLEADINGS

1. Summons and Complaint, including all Exhibits to Complaint, filed October 30, 2012 in First National Ins. Co. v. Gary and Williams (No. 8:12-CV-3124-GRA).
2. Stipulation of Dismissal filed on January 7, 2013 in First National Ins. Co. v. Gary and Williams (No. 8:12-CV-3124-GRA (Entry Nos. 24 and 24-1)).
3. Summons and Complaint filed February 22, 2013 in Gary v. Willis et al. (No. 2013-CP-01-066).
4. Summons and Complaint filed February 12, 2013 in Wofford v. Willis et al. (No. 2012-CP-01-045).
5. Summons and Complaint filed November 1, 2012 in Wilson v. Willis et al. (No. 2012-CP-01-306).

6. Summons and Amended Complaint filed February 13, 2013 in Wilson v. Willis, et. al, (No. 2012-CP-01-306).
7. Summons and Complaint filed December 13, 2012 in Spires v Willis et al. (No. 2012-CP-01-342).
8. Second Amended Complaint filed February 22, 2013 in Wiley v. Willis et al. (No. 2012-CP-01-343).
9. Second Amended Complaint filed February 22, 2013 in Williams v. Willis et al. (No. 2012-CP-01-340).
10. Second Amended Complaint filed February 22, 2013 in Calhoun v. Willis et al. (No. 2012-CP-01-341).
11. Summons and Complaint filed February 14, 2013 in Bosler v. Willis et al (No. 2013-CP-01-44).
12. Summons and Complaint filed February 27, 2013 in Wiltshire v. Willis et al. (No. 2013-CP-01-073)
13. Summons and Complaint filed April 18, 2013 in Antoniak v. Willis et al (No 2013-CP-01-123)
14. Summons and Complaint filed April 18, 2013 in Lawton v Willis et al (No. 2013-CP-01-124).
15. Summons and Complaint filed July 25, 2013 in Belton v. Willis et al (No 2013- CP-01-220)
16. Summons and Complaint filed July 25, 2013 in Norman v. Willis et al. (No 2013-CP-01-221).
17. Amended Summons and Complaint filed August 28, 2013 in Shirley v. Willis et al. (No. 2013-CP-01-094).
18. The Insurers' Answer filed March 18, 2013 in Wilson v. Willis et al. (No. 2012- CP-01-306).
19. The Insurers' Answer filed October 9, 2013 in Norman v. Willis et al. (No 2013-CP-01-221).
20. The Insurers' Answer filed May 28, 2013 in Antoniak v. Willis et al. (No. 2013-CP-01-221)

21. The Insurers' Summons and Answer, Counterclaim, and Cross Claim filed April 15, 2014 in Gary v Willis et al. (No. 2013-CP-01-66).

TRANSCRIPTS

- 22 Transcript of Hearing on Motions to Compel Arbitration, January 1, 2014.

EXHIBITS

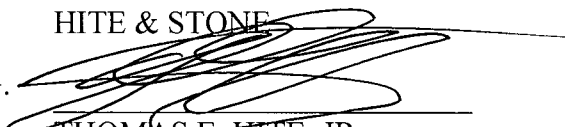
- 23 Exhibit A to the Insurers' Motions to Compel Arbitration the August 15, 2007 Agency Agreement between Montgomery and Assure Alliance.
24. Exhibit B to the Insurers' Motions to Compel Arbitration: the April 1, 2010 Agency Agreement between Montgomery, Safeco, and Southern Risk.
25. Exhibit C to the Insurers' Reply in Support of the Motions to Compel Arbitration. S.C Secretary of State online corporate database search results for "South Carolina Agent Network" and "Assure Alliance "
- 26 Exhibit D to the Insurers' Reply in Support of the Motions to Compel Arbitration. the December 1, 2003 master Agency Agreement between Montgomery and the South Carolina Agent Network.
27. Exhibit E to the Insurers' Reply in Support of the Motions to Compel Arbitration the December 15, 2006 Agency Agreement between Safeco and the South Carolina Agent Network.
28. Exhibit F to the Insurers' Reply in Support of the Motions to Compel Arbitration: S C. Secretary of State online corporate database search results for "Southern Risk."
- 29 Exhibit G to the Insurers' Reply in Support of the Motions to Compel Arbitration: S C. Dept. of Ins. online database search results for "Southern Risk "
- 30 Exhibit H to the Insurers' Reply in Support of the Motions to Compel Arbitration: S.C Dept. of Ins. online database search results for "Dantice."
31. Exhibit I to the Insurers' Reply in Support of the Motions to Compel Arbitration: the September 13, 2007 Agency Agreement between Safeco and Assure Alliance
32. Exhibit J to the Insurers' Reply in Support of the Motions to Compel Arbitration: the March 14, 2007 Limited Agency Agreement between Safeco and Southern Risk Insurance Services, LLC
33. Exhibit K to the Insurers' Reply in Support of the Motions to Compel Arbitration: Affidavit of James E Berry, dated February 7, 2014, and the exhibits thereto.

MISCELLANEOUS AND MOTIONS

34. The Insurers' Motion for Judgment Regarding the Claims for Civil Conspiracy and Unfair Trade Practices. Filed January 22, 2013 in *Wilson v Willis et al* (No. 2012-CP-01-306).
35. The Insurers' Motion for Judgment on the Pleadings on the Claim for Common Law Unfair Trade Practices Filed June 28, 2013 in *Wilson v Willis et al* (No. 2012-CP-01-306). Letter from the Insurers' counsel to the Honorable Frank R. Addy, Jr , withdrawing the Insurers' prior Motions for Judgment on the Claims for Civil Conspiracy, Unfair Trade Practices, and Common Law Unfair Trade Practices Mailed November 6, 2013 in *Wilson v Willis et al* (No 2012-CP-01-306).
36. The Insurers' Motion to Compel Arbitration Filed October 31, 2013 in *Norman v Willis et al* (No. 2013-CP-01-221)
37. The Insurers' Motion to Compel Arbitration Filed October 31, 2013 in *Wilson v Willis et al* (No. 2012-CP-01-306).
38. Plaintiffs' Memorandum in Opposition to the Insurers' Motion to Compel Arbitration Filed January 21, 2014 and applicable to Civil Action Nos. 2012- CP-01-340, 2012-CP-01-341, 2012-CP-01-342, 2012-CP,01-343, 2013-CP-01- 044, 2013-CP-01-045, 2013-CP-01-066, 2013-CP-01-073, 2013-CP-01-123,2013-CP-01-124, 2013-CP-01-220, and 2013-CP-01-221.
39. Plaintiffs Richard Wilson and Robert Shirley's Memorandum in Opposition to the Insurers' Motion to Compel Arbitration. Filed January 21, 2014 and applicable to Civil Action Nos 2012-CP-01-306 and 2013-CP"01-094.
40. The Insurers' Reply in Support of the Motion to Compel Arbitration. Filed February 11, 2014 in *Wilson v Willis et al* (No. 2012-CP-01-306).
41. Letter from Plaintiffs' counsel to the Honorable Eugene C. Griffith, Jr., enclosing Proposed Order Denying the Insurers' Motions to Compel Arbitration. Mailed February 17, 2014
42. Letter from the Insurers' counsel to the Honorable Eugene C Griffith, Jr., submitting comments and objections regarding the plaintiffs' Proposed Order Denying the Insurers' Motions to Compel Arbitration. Mailed February 21, 2014.
43. The Insurers' Motion to Alter or Amend the Order Denying the Motion to Compel Arbitration. Filed April 8, 2014 in *Wilson v Willis et al* (No. 2012- CP-01-306).

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BY


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ABBEVILLE, SOUTH CAROLINA
SEPTEMBER 17, 2014

ATTORNEY FOR THE RESPONDENTS

THE STATE OF SOUTH CAROLINA
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Franklin Wofford, Jr., and Rebecca Hammond Wofford, Respondents,

v.

Laura B. Willis and Jesse A. Dantice, individually, and as
agents and/or brokers for Southern Risk Insurance Services LLC,
Travelers Casualty Insurance Company of America, Allied Property and
Casualty Insurance Co., Peerless Insurance Co., Montgomery Mutual
Insurance Co., Safeco Insurance Co. of America, and Foremost
Insurance Co., Southern Risk Insurance Services, LLC, Travelers
Casualty Insurance Co. of America, Allied Property and Casualty
Insurance Co., Peerless Insurance Co., Montgomery Mutual Insurance
Co., Safeco Insurance Co. of America, and Foremost Insurance Co.,.....Defendants,

Of whom Peerless Insurance Co., Montgomery Mutual Insurance
Co., and Safeco Insurance Co. of America are.....Appellants.

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Hite and Stone, attorneys for Richard Wilson, Michael J. Antoniak, Jr., Marsha L. Antoniak, Anita L. Belton, Prescott Darren Bosler, Johnny Calhoun, Sallie Calhoun, Cynthia Gary, Robert Wayne Gary, Eugene P. Lawton, Jr., Jeanette Norman, James Robert Shirley, Robert W. Spires, Crystal Spires Wiley, Lewis S. Williams, Janie Wiltshire, Benjamin Franklin Wofford, Jr., and Rebecca Hammond Wofford do hereby certify that I have served all counsel in this action with a copy of the pleading(s) herein below specified by mailed a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings: Respondents' Designation of Matter for the Record on Appeal

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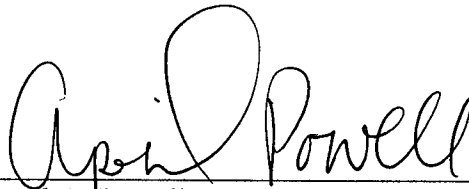
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September 17, 2014