

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

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

Case No. 2013-CP-10-02243

Popie Lown Roberts,

Respondent,

v.

The Health Sciences Foundation of The Medical
University of South Carolina and The Franke Home,
Inc., d/b/a The Franke Home at Seaside, Appellant.

APPELLANT'S DESIGNATION OF MATTER
TO BE INCLUDED ON APPEAL

Robert M. Kunes, Esq.
Andrew W. Chandler, Esq.
David H. Kunes, Esq.
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Attorney for Appellant, The Health Sciences
Foundation of the Medical University of South
Carolina, now known as The Medical University of
South Carolina Foundation and The Lutheran Homes
of South Carolina, Inc., as successor by merger to The
Franke Home, Inc.

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SC Court of Appeals

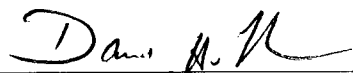
Appellant, The Health Sciences Foundation of the Medical University of South Carolina, now known as The Medical University of South Carolina Foundation and The Lutheran Homes of South Carolina, Inc., as successor by merger to The Franke Home, Inc. proposes the following be included in the Record on Appeal:

1. Probate Court Order, dated June 26, 2012;
2. Probate Court Order, dated April 4, 2013;
3. Circuit Court Order, dated April 10, 2014;
4. Summons and Petition of Respondent, dated April 20, 2011;
5. Answer and Counterclaim of Appellant, dated June 13, 2011;
6. Amended Summons and Petition of Respondent, dated July 1, 2011;
7. Amended Answer and Counterclaim of Appellant, dated July 28, 2011;
8. Appellant's Notice of Intent to Appeal, dated April 17, 2013;
9. Probate Court Hearing Transcript, January 31, 2012, pp. 1-33, 47-60, 70-79, and 82-88;
10. Probate Court Hearing Transcript, October 31, 2012, pp. 1-5 and 8-20;
11. Circuit Court Transcript, December 17, 2013, pp. 1-9 and 13-32; and
12. Last Will and Testament of Caroline Bischoff Lown dated June 1, 2005;

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

September 10, 2014

Respectfully submitted,



Robert M. Kunes, Esq. (SC Bar #3579)
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Popie Lown Roberts,

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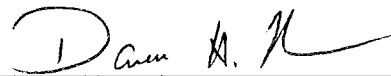
v.

The Health Sciences Foundation of The Medical
University of South Carolina and The Franke Home,
Inc., d/b/a The Franke Home at Seaside, Appellant.

PROOF OF SERVICE

I, David H. Kunes, certify that I have served the INITIAL BRIEF OF APPELLANT and the DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL on Respondent Popie Lown Roberts by depositing a copy of the same in the United States Mail, postage prepaid on September 10, 2014, addressed to her attorneys of record, Michael R. Daniel, Esq., 336 Cardinal Rd., Elloree, SC 29047 and James B. Richardson, Jr., Esq., 1229 Lincoln Street, Columbia, S.C. 29201.

September 10, 2014



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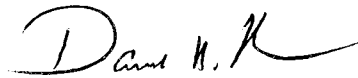
The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Popie Lown Roberts v. Health Sciences Foundation
Appellate Case No. 2014-001085

Dear Ms. Kitchings:

Enclosed for filing is the original Initial Brief of the Appellants and the Designation of Matter To Be Included On Appeal in the above case. I am also enclosing proof of service of the same on all parties to the appeal.

Sincerely,



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Ms. Jenny Abbott Kitchings
September 10, 2014
Page 2 of 2

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