

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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SEP 22 2014

SC Court of Appeals

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APPEAL FROM COURT OF COMMON PLEAS  
FIFTH JUDICIAL CIRCUIT

Alison Renee Lee, Presiding Judge

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Appellate Case No. 2014-000728

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South Carolina Insurance  
Reserve Fund, Respondent,

v.

East Richland County Public Service  
District and Coley Brown, Defendants

Of Whom East Richland County Public Service District is Appellant,

And Coley Brown is a Respondent.

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**DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL  
OF APPELLANT EAST RICHLAND COUNTY PUBLIC SERVICE DISTRICT**

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Appellant East Richland County Public Service District proposes the following matter be included in the record on appeal and counsel certifies that this designation contains no matter that is irrelevant to this appeal:

**Orders**

1. Order dated September 9, 2013.
2. Order dated March 4, 2014.

**Pleadings**

3. Complaint, dated March 29, 2011.
4. Answer and Counterclaim, dated May 19, 2011.
5. Reply to Counterclaim, dated May 23, 2011.
6. Complaint in underlying action, dated August 18, 2010.
7. Answer in underlying action, dated October 10, 2010.
8. Motion for Summary Judgment, dated June 6, 2012.
9. Motion for Summary Judgment, dated June 7, 2012.
10. Affidavit of Larry Brazell, dated June 12, 2012.
11. Affidavit of Donnie Way, dated June 12, 2012.

**Transcript of Testimony:**

Tr. p. 14, l. 1- p. 35, l. 8

**Exhibits**

Ex. No. 2; General Tort Liability Insurance Policy No. T130400210

Ex. No. 3; General Tort Liability Insurance Policy No. T130400211

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

This the 20<sup>th</sup> day of SEPTEMBER, 2014.



\_\_\_\_\_  
SCOTT ELLIOTT

Elliott & Elliott, P.A.

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Columbia, SC 29201

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Attorney for Appellant

THE STATE OF SOUTH CAROLINA  
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PROOF OF SERVICE

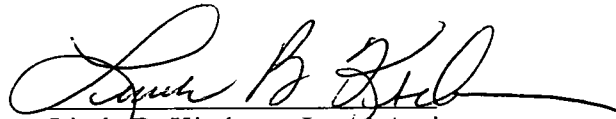
I certify that I have served the Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal on the below-named parties, at the addresses given, by depositing a copy of it in the United States Mail, postage prepaid, on September 22, 2014..

Andrew F. Lindemann, Esquire Davidson and Lindemann, PA Post Office Box 8568 Columbia, SC 29202-8568 <a href="mailto:alindemann@dml-law.com">alindemann@dml-law.com</a> Attorney for Respondent South Carolina Insurance Reserve Fund	Kenneth E. Berger, Esquire The Law Office of Kenneth E. Berger, LLC 5205 Forest Drive, Suite 2 Columbia, SC 29206 <a href="mailto:kberger@bergerlaw.sc.com">kberger@bergerlaw.sc.com</a> Attorney for Respondent Coley Brown
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September 22, 2014

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**VIA HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk, SC Court of Appeals  
P. O. Box 11629  
Columbia, SC 29211

**SC Court of Appeals**

RE: South Carolina Insurance Reserve Fund v. East Richland County Public Service  
District and Coley Brown  
Appellate Case No. 2014-000728

Dear Ms. Kitchings:

Enclosed please find for filing the following filed on behalf of Appellant East Richland  
County Public Service District:

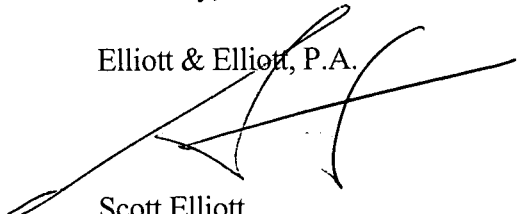
1. Initial Brief
2. Designation of Matter to be Included in the Record of Appeal
3. Proof of Service

I have enclosed an extra copy of this which I would ask you to date stamp and return to  
me via my courier.

If you have questions, please feel free to contact me.

Sincerely,

Elliott & Elliott, P.A.

  
Scott Elliott  
S.C. Bar #1872

SE/lbk

cc: All Parties of Record w/enc.

Enclosures