

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2010-CP-02-03055

RECEIVED
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SC Court of Appeals

Melissa J. Lackey-Oremus
and James T. Oremus,

Appellants,

v.

4 K&D Corporation, d/b/a Grand
Estates Auction Company, Stacy
Kirk and Valaria Devine

Respondents.

**DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Appellants propose the following be included in the Record on Appeal:

1. TITLE PAGE
2. INDEX
3. ORDERS:
 - a) Order Granting Partial Summary Judgment to Defendants, filed June 11, 2014
 - b) Order Denying Plaintiffs' Motion to Alter or Amend the Judgment, filed July 16, 2014
4. PLEADINGS:
 - a) Summons and Complaint, filed December 17, 2010
 - b) Amended Summons and Amended Complaint, filed

November 13, 2013

- c) Answer to Amended Complaint, filed February 28, 2014

5. TRANSCRIPTS:

- a) Argument of Defendants' Motion for Summary Judgment, June 2, 2014
- b) Argument of Plaintiffs' Motion to Alter or Amend the Order Granting Partial Summary Judgment, July 7, 2014

6. AFFIDAVITS:

- a) Affidavit of Bradley L. Boni dated May 28, 2014
- b) Affidavit of William A. Higgins dated April 5, 2012
- c) Affidavit of William A. Higgins dated May 28, 2014
- d) Affidavit of James T. Oremus dated May 29, 2014
- e) Affidavit of Desiree Watson dated January 4, 2012, with Exhibit 1
- f) Affidavit of Desiree Watson dated May 29, 2014

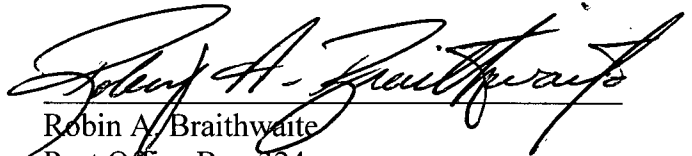
7. DEPOSITIONS:

- a) Deposition of Valaria Devine
Pp. 26, 64-65, 67, 70-71, 81-83
- b) Deposition of William Higgins
Pp. 18, 19, 23-28, Depo. Exh. 1
- c) Deposition of Karl Wesley Hirschhorn taken October 7, 2013
Pp. 17, 21-28,
Deposition Exhibit 1
Deposition Exhibit 2
- d) Deposition of Stacy Kirk
Pp. 16-19, 32, 48, 53-54, 90-91, 94-96, 98, 101-102,
109, 113-117, 119-125, 160-162,
Deposition Exhibit 1
Deposition Exhibit 4 (2 Documents Purporting to be Releases)
Deposition Exhibit 6 (Executed Buyer/Broker
Registration/Guidelines)
Deposition Exhibit 10 (Executed Final Terms and Conditions of
Sale and Executed Bidders's Statement)
Deposition Exhibit 13 (Specific Power of Attorney)
Deposition Exhibit 22 (2008 GEA Corporate Tax Return)
Deposition Exhibit 23 (2009 GEA Corporate Tax Return)
Deposition Exhibit 24 (2010 GEA Corporate Tax Return)
Deposition Exhibit 26 (Auction Sales & Marketing Proposal to

- Hirschhorns, and Executed by Hirschhorns)
- e) Deposition of James Oremus taken August 8, 2013
Pg. 24-31, 41-43,
Deposition Exhibit 1
 - f) Deposition of Melissa J. Lackey-Oremus taken August 8, 2013
Pg. 25-26
 - g) Deposition of Nancy Cerra
Pg. 23-28, 13-16
Deposition Exhibit 1
 - h) Deposition of Desire Watson
Pg. 53-56, 77-81
 - i) Deposition of Steven Jadeal
All Pages

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

October 8, 2014



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NOTICE OF APPEAL IN A CIVIL CASE

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Case No. 2010-CP-02-03055

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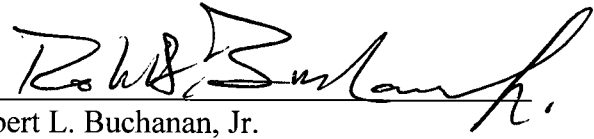
PROOF OF SERVICE

I certify that I have served the Designation of Matter to be Included in the Record on Appeal on 4 K&D Corporation, d/b/a Grand Estates Auction Company, Stacy Kirk and Valaria Devine by depositing a copy of it in the United States Mail, postage prepaid, on October 8, 2014, addressed to its/their attorney of record, Alice F. Paylor, Rosen Rosen & Hagood, LLC, Post Office Box 893, Charleston, South Carolina 29402

October 8, 2014



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October 8, 2014

Honorable Jenny Abbott Kitchings

Clerk of Court

SC Court of Appeals

Post Office Box 11629

Columbia, South Carolina 29211

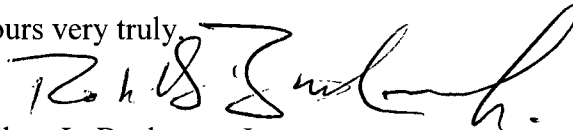
RE: Melissa J. Lackey-Oremus and James T. Oremus, Appellants
v. 4 K&D Corporation, d/b/a Grand Estates Auction Company
Stacy Kirk and Valaria Devine
Case No. 2010-CP-02-03055

Dear Madame Clerk:

Enclosed herewith please find an original and one copy of the Initial Brief of Appellants and the Designation of Matter to be Included in the Record on Appeal, together with Proofs of Service. Please return a "filed" copy for our records in the enclosed, stamped envelope.

With best regards, I remain

Yours very truly,



Robert L. Buchanan, Jr.

ph

CC: Alice Paylor, Esquire w/encls.

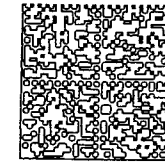
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