

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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OCT 17 2014

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

SC Court of Appeals

Edward W. Miller, Circuit Court Judge

Case No. 2008-CP-23-05739

Andrew P. (Andy) Ballard, Respondent,

v.

Tim Roberson, Rick Thoennes, Rick Thoennes III,
and Warpath Development, Inc. Appellants.

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

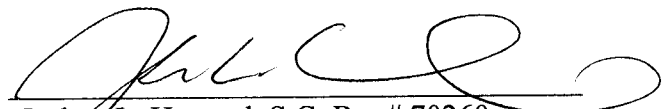
Appellants propose that the following be included in the Record on Appeal:

1. Order of May 3, 2010.
2. Order of October 2, 2013, Judgment Order;
3. Order of November 8, 2013; Denying Motion for Reconsideration;
4. Defendants' Post-Hearing Memorandum dated August 16, 2013;
5. Defendants' Motion for Reconsideration dated October 11, 2013;
6. Transcript of Proceedings, August 6, 2013;
7. B. Perry Woodside, III, Ph.D., report dated April 29, 2013;
8. B. Perry Woodside, III, Ph.D., letter dated May 9, 2013;

9. B. Perry Woodside, III, Ph.D., post-hearing report –not dated;
10. Judge Miller Law Clerk’s Email dated September 25, 2013;

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

Respectfully Submitted,



Joshua L. Howard, S.C. Bar # 70260
HAYNSWORTH SINKLER BOYD, P.A.
ONE North Main, 2nd Floor (29601)
Post Office Box 2048
Greenville, South Carolina 29602
(864) 240-3200
jhoward@hsblawfirm.com

Attorneys for Appellants

Greenville, South Carolina
October 16, 2014

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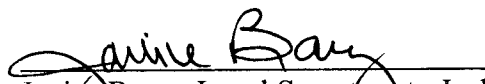
v.

Tim Roberson, Rick Thoennes, Rick Thoennes III,
and Warpath Development, Inc. Appellants.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of *Appellants' Initial Reply Brief and Designation of Matter to be Included in the Record on Appeal* was served upon all counsel of record on this the 16th day of October, 2014, by U.S. Mail, postage prepaid, to the following:

Wallace K. Lightsey, Esquire
WYCHE, PA
44 East Camperdown Way
Greenville, SC 29601


Janice Barry, Legal Secretary to Joshua L. Howard
Haysworth Sinkler Boyd, P.A.
ONE North Main Street, 2nd Floor (29601)
P.O. Box 2048
Greenville, SC 29602
Phone: (864) 240-3223/Fax: (864) 240-3300

GREENVILLE

CHARLESTON

COLUMBIA

FLORENCE

Haynsworth
Sinkler Boyd, P.A.

ATTORNEYS AND COUNSELORS AT LAW

ONE NORTH MAIN STREET, 2ND FLOOR (29601)
POST OFFICE BOX 2048 (29602-2048)
GREENVILLE, SOUTH CAROLINA
TELEPHONE 864.240.3200
FACSIMILE 864.240.3300
WEBSITE www.hsblawfirm.com

JOSHUAL L. HOWARD, ESQ.
DIRECT DIAL NUMBER 864.240.3202
EMAIL jhoward@hsblawfirm.com

October 16, 2014

VIA FEDERAL EXPRESS

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

Re: Andrew P. (Andy) Ballard v. Tim Roberson, Rick Thoennes, Rick Thoennes III, and
Warpath Development, Inc.; C.A. No.: 2008-CP-23-5739
Appellate Case No. 2013-002790

Dear Ms. Kitchings:

Please find enclosed the original and seven copies each of *Appellants' Initial Reply Brief and Designation of Matter to be Included in the Record on Appeal*, and *Certificate of Service* showing service of the same on the Respondent. We have enclosed an additional copy of the brief to be filed-stamped and returned to us in the enclosed self-addressed stamped envelope.

Please contact me if you have any questions. Thank you for your assistance in this matter.

With kind personal regards, I am

Very truly yours,

HAYNSWORTH SINKLER BOYD, P.A.



Joshua L. Howard

JLH:jmb
Enclosures

cc: Wallace K. Lightsey, Esquire

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