

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas

W. Jeffrey Young, Circuit Court Judge

Case No. 2012-CP-43-00707

RECEIVED

OCT 27 2014

SC Court of Appeals

Rebecca Jackson,

Appellant,

v.

Outback/Charlotte-I, L.P., OSI
Restaurant Partners, L.L.C.,
Outback Steakhouse of South
Carolina, Inc., Outback
Steakhouse of Florida, L.L.C.,
Private Restaurant Properties,
L.L.C., Private Restaurant
Master Lessee, L.L.C., each
d/b/a Outback Steakhouse,

Respondent.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

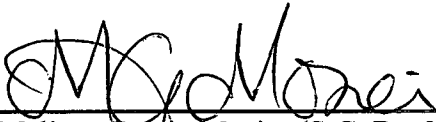
Appellant, Mrs. Rebecca Jackson, proposes the following be included in the Record on Appeal:

1. Summons and Complaint of April 16, 2012;
2. Amended Summons and Complaint of June 7, 2012;
3. Defendants' Answer to Plaintiff's Amended Complaint of July 12, 2012;
4. Defendants' Motion for Summary Judgment of February 28, 2014;
5. Plaintiff's Motion to Compel Discovery Responses dated March 24, 2014 with attachments;
6. Defendants' Memorandum in Support of its Motion for Summary Judgment dated April 4, 2014 with Exhibits;
 - Exhibit B – LLR's web page;
 - Exhibit C – Excerpts from Outback's 30(b)(6) designee, Richard Allen Adams, Jr., 15, 18-19, 23-25;
7. Summary Judgment Hearing Transcript dated April 7, 2014;

8. Plaintiff's Supplemental Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment dated April 22, 2014 with Exhibits;
 - Exhibits A-E – Photographs of the Outback and Mrs. Jackson after her fall;
 - Exhibit F – report of Plaintiff's engineer, Bryan Durig dated October 2, 2013;
 - Exhibit G – affidavit of Bryan Durig dated April 10, 2014;
 - Exhibit H – report of Defendants' expert, Alan Campbell dated December 16, 2013;
 - Exhibit I – photograph of subject ramp after Mrs. Jackson's fall;
 - Exhibit J – report of Plaintiff's human factors expert, Ruston M. Hunt dated April 2, 2014;
 - Transcript of Alan O. Campbell, Defendants' expert;
9. Rule 56(f) Affidavit by Melissa G. Mosier, Attorney for Plaintiff dated May 27, 2014 with Exhibits
 - Exhibit A – Litigation Timeline;
 - Exhibit D – Defendants' Second Supplemental Answers to Plaintiff's First Set of Interrogatories;
 - Exhibit E – Defendants' Answers to Plaintiff's Third Set of Interrogatories;
 - Exhibit F – Plaintiff's Fifth Set of Requests for Production to Defendants;
10. Plaintiff's Brief Regarding Timeliness of Rule 56(f) Affidavit dated May 27, 2014 with exhibit;
 - Exhibit A – Plaintiff's Proposed Order Denying Defendants' Motion for Summary Judgment;
11. Order Granting Summary Judgment dated May 28, 2014;
12. Plaintiff's Motion to Alter or Amend the Judgment per Rule 59(e), SCRCF dated June 9, 2014;
13. Order Addressing Plaintiff's Rule 59(e), SCRCF Motion.

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

October 27, 2014



Melissa Garcia Mosier (S.C. Bar Number 78693)
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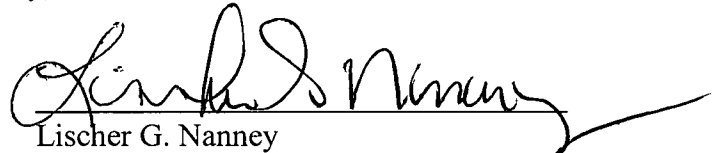
v.

Outback/Charlotte-I, L.P., OSI Restaurant Partners, L.L.C.,
Outback Steakhouse of South Carolina, Inc.,
Outback Steakhouse of Florida, L.L.C., Private Restaurant Properties, L.L.C.,
Private Restaurant Master Lessee, L.L.C. each d/b/a Outback Steakhouse,

Respondents.

PROOF OF SERVICE

I certify that on October 27, 2014, I have served the Initial Brief of the Appellant, Rebecca Jackson, and the Designation of Matter to be included in the Record on Appeal on the Respondents, Outback/Charlotte-I, *et. al.*, by mailing the same to the attorney of Record, Christian Stegmaier, Esquire of the law firm of Collins & Lacy, P.O. Box 12487, Columbia, SC 29211.



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RICHARD W. SIMMONS, II
J. TYLER LEE, JR.
MELISSA G. MOSIER
JOHN P. MEADORS
KEVIN R. HORTON
SARAH W. GUTHRIE

October 27, 2014

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

VIA HAND DELIVERY

Rebecca Jackson vs. Outback\Charlotte-I, LP
OSI Restaurant Partners LLC, Outback Steakhouse of South Carolina, Inc.
Outback Steakhouse of Florida, L.L.C.
Private Restaurant Properties, L.L.C.
Private Restaurant Master Lessee, L.L.C.
each d/b/a Outback Steakhouse

Appellate Case No. 2014-001861


Dear Ms. Kitchings:

Enclosed you will find the following documents for filing with the Court:

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

Record on Appeal to counsel for the Respondents, Mr. Christian Stegmaier, Esquire.

If you have any questions, please do not hesitate to call.

Sincerely yours,

Melissa G. Mosier

cc: Christian Stegmaier, Esquire
Collins & Lacy
P.O. Box 12487
Columbia, SC 29211

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