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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Allison Renee Lee, Circuit Court Judge

Case No. 2012-CP-40-4652  
S.C. Appellate Tracking No. 2014-000663

James W. Trexler.....Appellant,

v.

The Humane Society for the Prevention of Cruelty  
To Animals, and Wayne Brennessel, individually and  
As Executive Director of the Humane Society for the  
Prevention of Cruelty to Animals.....Respondents.

DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL

William O. Sweeny, III  
John E. Tyler  
Sweeny, Wingate and Barrow, P.A.  
1515 Lady Street  
Post Office Box 12129  
Columbia, South Carolina 29211  
(803) 256-2233  
**Attorneys for Respondents**

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Respondents designate the following matter to be included in the Record on Appeal:

All material previously designated by opposing counsel

TRANSCRIPTS

Deposition of James Trexler from Civil Action No.: 2010-CP-40-1249, taken September 14, 2011: pp. 45, 52, 60, 71, 104, 105.

Deposition of James Trexler from underlying action, taken May 15, 2013: pp. 6, 10, 11, 18, 19, 69, 75, 76, 79, 80, 91, 114, 142, 143.

Deposition of Wayne Brennessel from September 30, 2013: pp. 11, 54, 55, 61.

MOTIONS AND OTHER DOCUMENTS

Memorandum of Law in Support of Defendants' Motion for Summary Judgment, including all exhibits attached thereto, file stamped September 10, 2013.

Indictments of James W. Trexler from March 12, 2008, Attached as Exhibit 1 to the 9/10/2013 Memorandum

Article: "Neglected Horses Still Up for Adoption" by Sydney Cummins, Attached as Exhibit 2 to the 9/10/2013 Memorandum

Order Granting Summary Judgment, 2010-CP-40-1249, Attached as Exhibit 4 to the 9/10/2013 Memorandum

Articles of Organization, Bates labeled HSPCA0473 – HSPCA0474

Documentation related to ownership of various horses, Bates labeled HSPCA0518 – HSPCA0534, HSPCA0539 – HSPCA0540

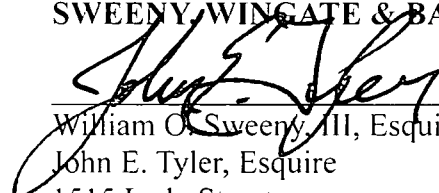
HSPCA Investigation Notes, Bates labeled HSPCA0008

The undersigned attorney for Respondent hereby certifies that this Designation contains no matter which is irrelevant to the appeal.

*(Signature on following page)*

Respectfully submitted,

**SWEENEY, WINGATE & BARROW, P.A.**



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William O. Sweeney, III, Esquire  
John E. Tyler, Esquire  
1515 Lady Street  
Post Office Box 12129  
Columbia, South Carolina 29211

Columbia, South Carolina

October 23, 2014

CERTIFICATE OF SERVICE

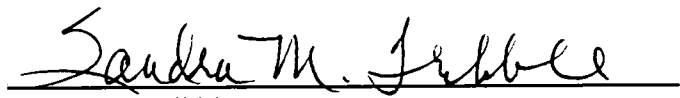
I, the undersigned secretary of the law offices of Sweeny, Wingate & Barrow, P.A., attorneys for Defendants, do hereby certify that I have served a copy of the foregoing Pleading in connection with the above-referenced case by mailing a copy of the same by United States Mail, postage prepaid, to the following addresses:

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38 Broad Street, Suite 200  
Charleston, SC 29401  
Attorney for Plaintiff James W. Trexler

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Attorney for Plaintiff James W. Trexler

Roopal Ruparelia, Esquire  
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Sandra M. Tribble

Columbia, South Carolina  
October 23, 2014

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SWEENY WINGATE & BARROW P.A.

October 23, 2014

Reply to: Main Office  
John E. Tyler  
(803) 256-2233 x7110  
jet@swblaw.com

**VIA HAND DELIVERY**

V. Claire Allen  
Deputy Clerk of Court  
South Carolina Court of Appeals  
1015 Sumter Street  
Post Office Box 11629  
Columbia, SC 29202

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**SC Court of Appeals**

RE: James W. Trexler v. The Humane Society  
Civil Action No.: 2012-CP-40-4652  
Our File: 1395-8358

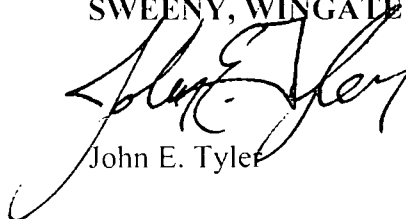
Dear Ms. Allen:

Enclosed please find the original and one copy of Respondent's Initial Brief and Designation of Matter for the Record on Appeal in the above-referenced case. Please file the original and return the stamped copy to our courier.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me.

Respectfully,

SWEENY, WINGATE & BARROW, P.A.



John E. Tyler

JET/smt

Enclosure

CC: William H. Johnson, Esquire  
W. Westbrook Wills, III, Esquire  
Matthew D. Hamrick, Esquire  
Roopal Ruparelia, Esquire