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OCT 24 2014

SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
Hon. Edward W. Miller, Circuit Court Judge

Case No. 2013-002435

John Deere Financial, f.s.b., f/k/a FPC Financial, f.s.b,		Plaintiff,
	v.	
Jerry A. Bruce,		Respondent,
and		
Jerry A. Bruce, Third Party Plaintiff		Respondent,
	v.	
Flint Equipment Co., Third Party Defendant		Appellant.

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

O. W. Bannister
SC Bar No. 506; Fed. ID No. 1184
BANNISTER, WYATT & STALVEY, LLC
401 Pettigru Street (29601)
P. O. Box 10007 (29603)
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Phone: (864) 298-0084; Fax: (864) 298-0146
Attorney for Respondent

Other Counsel of Record:
C. Frederic Marcinak
Kristen L. Nowacki
Smith Moore Leatherwood, LLP
P.O. Box 87
Greenville, SC 29602-0087
Attorneys for Appellant

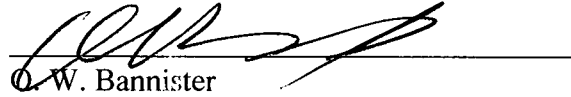
Respondent JERRY A. BRUCE hereby designates the following to be included in the Record on Appeal:

1. Transcript, pages 9 – 25
2. Plaintiff John Deere Financial's Complaint
3. Answer of Defendant Jerry A. Bruce
4. Defendant Jerry A. Bruce's Motion for Leave to File Third Party Complaint
5. Third Party Complaint of Jerry A. Bruce against Flint Equipment Company
6. Order (Form 4) Granting Defendant Jerry A. Bruce's Motion to File Third Party Complaint
7. Affidavit of Service of Third Party Complaint
8. Affidavit of Default of Third Party Defendant Flint Equipment Company
9. Motion and Affidavit of Default for Third Party Defendant Flint Equipment Company
10. Order of Default and Order Setting Damages Hearing
11. Flint Equipment Company's Motion to Set Aside Default Entry or Default Judgment and for Leave to File Answer
12. Transcript of Default Damages Hearing Transcript (page 45)
13. Order for Default Damages
14. Flint Equipment Company's Motion to Alter or Amend Order Denying Motion to Set Aside Default
15. Flint Equipment Company's Amended Motion to Alter or Amend Order Denying the Motion to Set Aside Default
16. Flint Equipment Company's Motion and Memorandum to Reconsider and/or Alter or Amend the Judgment
17. Order Denying Motion and Memorandum to Reconsider and/or Alter or Amend the Judgment
18. Order Denying Motion to Alter or Amend Order Denying Motion to Set Aside Default
19. The Power Plan Agreement
20. Notice of Appeal

Certificate of Counsel

The undersigned certifies that this Designation of Matter to be Included in the Record on Appeal complies with Rule 209(b), *SCACR*.

BANNISTER, WYATT & STALVEY, LLC



O. W. Bannister

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Attorney for Respondent

October 22, 2014

STATE OF SOUTH CAROLINA
In The Court of Appeals

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APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
Hon. Edward W. Miller, Circuit Court Judge

Case No. 2013-002435

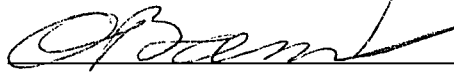
John Deere Financial, f.s.b., f/k/a FPC Financial, f.s.b,		Plaintiff,
	v.	
Jerry A. Bruce,		Respondent,
and		
Jerry A. Bruce, Third Party Plaintiff		Respondent,
	v.	
Flint Equipment Co., Third Party Defendant		Appellant.

PROOF OF SERVICE

The undersigned certifies that a true copy of the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal in the above-captioned matter was this day mailed, postage prepaid, to opposing counsel as follows:

C. Frederick Marcinak, Esq.
Kristen L. Nowacki, Esq.
Smith Moore Leatherwood, LLP
P.O. Box 87
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Attorney for Respondent

October 21, 2014

BANNISTER, WYATT & STALVEY, LLC
ATTORNEYS AT LAW

O.W. BANNISTER | JOHN F. WYATT | JAMES W. BANNISTER | BRUCE W. BANNISTER

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SC Court of Appeals

V. Claire Allen, Deputy Clerk
S.C. Court of Appeals
P. O. Box 11629
Columbia, SC 29211

**Re: Jerry A. Bruce, Respondent v. Flint Equipment Co., Appellant
Appellate Case No.: 2013-002435**

Dear Ms. Allen:

Enclosed please find the original and one copy of the Initial Brief of Respondent, Respondent's Designation of Matter to be Included in the Record on Appeal and Proof of Service.

By copy of this letter and the enclosed Proof of Service I am serving the Initial Brief of Respondent and Respondent's Designation of Matter to be Included in the Record on Appeal upon opposing counsel.

Yours truly,

BANNISTER, WYATT & STALVEY, LLC


O. W. Bannister

OWB/tjc
Enclosures

cc: C. Frederic Marcinak, Esq., w/enclosure
Kristen L. Nowacki, Esq., w/enclosure

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10/22/2014
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SC Court of Appeals

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To:

V. Claire Allen, Deputy Clerk
S.C. Court of Appeals
P. O. Box 11629
Columbia, SC 29211

