

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

R. Knox McMahon, Circuit Court Judge

Common Pleas Case No. 2012-CP-32-02093
Common Pleas Case No. 2012-CP-32-02111
Appellate Case No. 2014-001258

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SC Court of Appeals

Ricky Kneece,

Respondent

v.

Kneece Farms and Legion in
Liquidation and South Carolina
Property and Casualty Insurance
Guaranty Association,

Appellants

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

Respondent Ricky Kneece proposes the following matter be included in the record on appeal and counsel certifies that this designation contains no matter that is irrelevant to this appeal:

Orders

1. Circuit Court Order dated April 24, 2014.
2. Circuit Court Order dated July 18, 2013.
3. SCWCC Appellate Panel Order dated April 19, 2012
4. SCWCC Order dated April 28, 2011.
5. SCWCC Order dated April 18, 2005.

Pleadings

1. Form 50 hearing request of Claimant Ricky Kneece served on July 9, 2010.
2. Form 51 Answer of Defendant SCPCIGA served on August 9, 2010.
3. Form 58 Pre-hearing Brief of Claimant Ricky Kneece filed September 17, 2010.
4. Amended Form 58 Pre-hearing Brief of Claimant Ricky Kneece filed September 29, 2010.
5. Amended Form 58 Pre-hearing Brief of Claimant Ricky Kneece filed January 28, 2011.
6. Claimant's Brief to Appellate Panel dated August 19, 2011.
7. Request for proposed Order from the Appellate Panel from the SCWCC dated October 17, 2011.
8. Claimant's Notice of Intent to Appeal dated May 18, 2012.
9. Claimant's Brief to the Circuit Court dated March 7, 2013.
10. Defendant's Notice of Motion and Motion to Alter or Amend Judgment dated August 5, 2013.
11. Claimant's Return to Motion to Alter or Amend Judgment dated August 21, 2013.

Transcripts of Testimony:

Tr. p. 15, l. 7 – p. 16, l. 9
Tr. p. 17, ll. 13-23
Tr. p. 23, l. 12 – p. 24, l. 6
Tr. p. 44, l. 7 – p. 46, ll. 6-11
Tr. p. 44, l. 17 – p. 45, l. 24
Tr. p. 49, ll. 9-11
Tr. p. 49, l. 19 – p. 50, l. 15
Tr. p. 50, l. 25 – p. 51, l. 17
Tr. p. 52, ll. 1-5
Tr. p. 52, l. 8 – p. 54, l. 2
Tr. p. 52, l. 19 – p. 54, l. 8
Tr. p. 54, l. 14 – p. 56, l. 2
Tr. p. 56, ll. 3-15
Tr. p. 56, l. 16 – p. 57, l. 9
Tr. p. 57, l. 10 – p. 58, l. 2
Tr. p. 58, l. 6 – p. 63, l. 1
Tr. p. 63, l. 5 – p. 64, l. 13
Tr. p. 65, l. 7 – p. 66, l. 15
Tr. p. 67, l. 4 – p. 71, l. 18
Tr. p. 68, l. 8 – p. 69, l. 5
Tr. p. 69, ll. 2-25
Tr. p. 71, ll. 7-16
Tr. p. 71, l. 21 – p. 75, l. 9
Tr. p. 73, l. 8 – p. 75, l. 9
Tr. p. 75, ll. 2-9
Tr. p. 76, l. 25 – p. 79, l. 4

Tr. p. 79, ll. 13-17
Tr. p. 79, l. 25 – p. 80, l. 21
Tr. p. 81, ll. 14-18
Tr. p. 81, l. 19 – p. 83, l. 5
Tr. p. 83, ll. 6-16
Tr. p. 83, l. 17 – p. 84, l. 14
Tr. p. 84, l. 25 – p. 85, l. 9
Tr. p. 98, ll. 8-19
Tr. p. 103, l. 20 – p. 105, l. 12

Depositions

Deposition of Roxanne Kneece at p. 10, l. 14 – p. 11, l. 22
Deposition of Roxanne Kneece at p. 13
Deposition of Roxanne Kneece at p. 16, l. 14 – p. 18, l. 13

APA

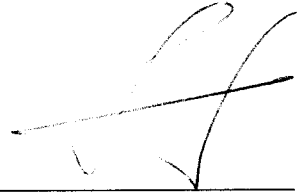
Claimant's APA 1 Dr. William Stewart	12/31/2004-09/16/2010
Claimant's APA 2 Dr. Charles Shissas	03/25/2010-10/29/2010
Claimant's APA 3 Dr. L. Randolph Waid	04/15/2002-02/08/2007
Claimant's APA 4 Dr. Lawrence Bergmann	03/15/2005-01/12/2011
Claimant's APA 5 Dr. Roger Deal	06/06/2006-12/09/2010
Claimant's APA 6 Dr. Michael S. Green	11/05/2001-03/30/2007
Claimant's APA 7 Dr. James S. O'Leary	12/21/2001-09/23/2004
Claimant's APA 8 Dr. Christopher Wicker	03/24/2009-06/17/2009
Claimant's APA 9 Dr. Carl A. White	03/13/2001-11/16/2008
Claimant's APA11 Dr. Lenwood P. Smith	11/22/1999-09/30/2001
Claimant's APA20 Dr. Michael R. Ugino	11/22/2010
Defendant's APA 13 USC Dept. of Neuropsychiatry, Dr. Tora Brawley	02/11/2011

Exhibits

Claimant's Ex. No. 1 Mileage Records
Claimant's Ex. No. 2 Pharmacy Bill Payment Records
Claimant's Ex. No. 3 Specified Correspondences to M. Cauthen, Esq.
Claimant's Ex. No. 4 Employee records
Defendant's Ex. No. 4 Form 17 signed 06/16/2006
Bergmann letter dated January 11, 2007

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

This the 3rd day of December, 2014.

A handwritten signature in black ink, appearing to be 'S. Elliott', written over a horizontal line.

SCOTT ELLIOTT
Elliott & Elliott, P.A.
1508 Lady Street
Columbia, SC 29201
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Attorney for Respondent

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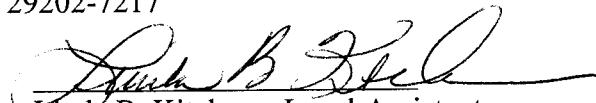
Kneece Farms and Legion in
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Appellants

PROOF OF SERVICE

I certify that I have served the Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal on the below-named parties, at the addresses given, by depositing a copy of it in the United States Mail, postage prepaid, on December 3, 2014.

Peter P. Leventis, IV, Esquire
Mark D. Cauthen, Esquire
McKay, Cauthen, Settana & Stubley, P.A.
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December 3, 2014

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December 3, 2014

Via Hand Delivery

The Honorable Jenny Abbott Kitchings
Clerk, SC Court of Appeals
P. O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

RE: Ricky Kneece v. Kneece Farms and SCPCIGA
WCC File No.: 5920867
Appellate Case No. 2014-001258

Dear Ms. Kitchings:

Enclosed please find for filing the following filed on behalf of Respondent Ricky Kneece:

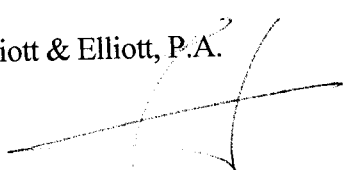
1. Initial Brief
2. Designation of Matter to be Included in the Record of Appeal
3. Proof of Service

I have enclosed an extra copy of this which I would ask you to date stamp and return to me via my courier.

If you have questions, please feel free to contact me.

Sincerely,

Elliott & Elliott, P.A.


Scott Elliott
S.C. Bar #1872

SE/lbk
Enclosures

cc: Peter P. Leventis, IV, Esquire (w/encl.)
Mark D. Cauthen, Esquire (w/encl.)