

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

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DEC 10 2014

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

SC Court of Appeals

Eugene C. Griffith, Jr., Circuit Court Judge

Case No. 2011-CP-32-04981
Appellate Case No. 2014-000671

Mike Russell, Respondent,

v.

Randolph Gill and Pennsylvania Life
Insurance Company, Defendants,

Of Which Pennsylvania Life Insurance
Company is Appellant.

**RESPONDENT’S DESIGNTION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 209, SCAR, Mike Russell (Respondent) designates the following material for inclusion in the record on appeal in addition to the material designated by Appellant:

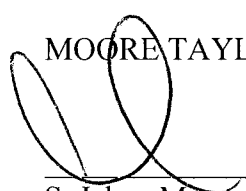
1. Plaintiff’s Trial Exhibits
 - P-1 (A) Exhibit List
 - P-1 (B) Depositions (5) and Exhibits
 - P-2 Affidavit of Mike Russell
 - P-3 Penn Life’s claim file
 - P-4 Penn Life’s application/underwriting file
 - P-5 Receipt (Carolina Wings 6-18-08)
 - P-6 Disability Policy Schedules and riders

- P-7 Letter (William Wehner)
- P-8 Credit card statement
- P-9 SC DMV documents
- P-10 SLED documents
- P-11 Lexington Medical Center records
- P-12 Lexington Medical Center lab records
- P-13 CD (Magistrate court hearing 5-15-09)
- P-14 Unofficial transcript (5-15 Magistrate Hrg)
- P-15 Payment report
- P-16 Chart of benefit payments & Pick List
- P-17 Insurance brochure
- P-18 SC Code 38-71-30 (copy)
- P-19 Policy and application

Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that the designation contains no matter which is irrelevant to the appeal.

MOORE TAYLOR LAW FIRM, P.A.

By:



S. Jahue Moore
John C. Bradley, Jr.
R. Nick Riley, Jr.
MOORE TAYLOR LAW FIRM, P.A.
1700 Sunset Boulevard
West Columbia, South Carolina 29169
803-796-9160

Attorneys for Respondent

West Columbia, South Carolina

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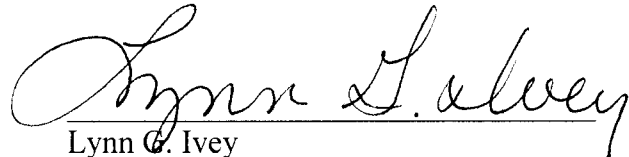
Randolph Gill and Pennsylvania Life
Insurance Company, Defendants,

Of Which Pennsylvania Life Insurance
Company is Appellant.

PROOF OF SERVICE

I certify that I have served the Respondent's Designation of Matter on Counsel of Record by depositing a copy of same in the United States Mail, postage prepaid, on December 10, 2014, addressed to the attorney of record as follows:

D. Larry Kristink
1320 Main Street, 17th Floor
Columbia, SC 29201


Lynn G. Ivey

West Columbia, South Carolina
December 10, 2014

MOORE TAYLOR

December 10, 2014

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
1015 Sumter St., 5th Floor
Columbia, SC 29201

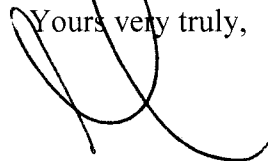
RE: Mike Russell vs. Randolph Gill and Pennsylvania Life Insurance
Company
Civil Action No.: 2011-CP-32-04981
Appellate Case No.: 2014-000671

Dear Ms. Kitchings:

Enclosed, please find the original and one copy of the Initial Brief of Respondent and Respondent's Designation of Matter to be Included in the Record on Appeal. We would ask that you file the originals and return the clocked copies to us via our courier.

By copy of this letter to counsel of record, we are serving them with copies of these pleadings. Please call our office with any questions or concerns.

Yours very truly,



John C. Bradley, Jr.

cc: D. Larry Kristinik
Elizabeth Herlong Brogdon
Michael J. Anzelmo
Kristen E. Horne