

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM SPARTANBURG COUNTY CIRCUIT COURT

THE HONORABLE J. DERHAM COLE

C. A. NO. 2009-CP-42-00781

APPELLATE CASE NO. 2013-002439

Tuck and Howell, Inc.....Respondent

vs.

Ray and Mary Long.....Appellant

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Appellant proposes the following be included in the Record on Appeal:

1. Two air quality tests performed by different companies
2. Mold test/report from James Kellett (He is the person that found the mold spores blowing out of the heat registers.)
3. Pictures showing contents of home that were contaminated
4. Pictures showing that home had been remodeled and was in like new condition
5. Pictures of aluminum oxide inside house
6. Pictures of the coils showing what happened to them after the water backed up on them
7. Letter from Greenville County regarding (a) permit not being obtained by Tuck and Howell Inc for the work to be performed and (b) a final inspection/signoff not being done by the County Inspector after the work was completed
8. Paperwork where Tuck and Howell Inc. signed a statement from the SC Licensing Board admitting their negligence


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9. Aluminum Toxicity report from doctor showing extremely high metal toxicity
10. Urine tests from doctor showing extremely high metals in our bodies
11. Our medical records which show the health problems that we developed after we were exposed to the toxins as compared to not having them prior to the exposure
12. The warranty that Mr. Tuck from Tuck and Howell said was provided to them to replace the uncoated coils with coated ones if they had a problem with the uncoated ones. This shows that they knew about existing problems with the uncoated coils, but they put them in anyway rather than request that coated ones be provided to avoid problems.
13. The following witnesses need to be subpoenaed to testify
 - a) Jerry Tuck from Tuck and Howell Inc
 - b) Glenn Bell, the Trane Company's representative
 - c) Steamatic of Greenville
 - d) James Kellett, performed the mold test
 - e) Nicholas Maxwell
 - f) Zachary Conner
 - g) Beverly Howard, daughter
 - h) Bill Howard, son in law
 - i) Evidence to correct false statements /comments that were made by several of the Defendants witnesses. Mr. Bannister made no objections to these statements nor did he provide evidence that we had showing the statements were untrue

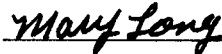
With only 5 exhibits being registered with the Court by Mr. Bannister, most of our evidence was not even presented to the Court. Therefore, every single piece of our evidence needs to be presented.

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

November 26, 2014



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