

STATE OF SOUTH CAROLINA
IN THE
COURT OF APPEALS

Appeal from the Court of Common Pleas
For Charleston County
Honorable J C Nicholson, Jr., Circuit Judge
Civil Action Nos 2010-CP-10-9096
And 2011-CP-10-8840

RECEIVED

JAN 05 2015

SC Court of Appeals

Frank Gordon, Jr , Individually and as Trustee
of the Dorothy S Gordon (Deceased) Trust,

Respondent,

v

Donald W Lancaster,

Appellant.

**Designation of Matter to be Included
in the Record on Appeal**

Stephen P Groves, Sr , Esquire
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Attorneys for the Appellant

TO THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS
COMES NOW the Appellant, Donald W. Lancaster ("Mr. Lancaster"), pursuant to
Rule 209 of the South Carolina Appellate Court Rules, and hereby designates the parts
of the transcripts, orders, pleadings, affidavits, exhibits, and/or other materials which he
proposes to include in the Record on Appeal

ORDERS

1. SCRCP Form 4 Order/Judgment issued by the Honorable J C Nicholson, Jr., Circuit Court Judge, dated 19 May 2014, and filed 21 May 2014 (denying Mr Lancaster's Motion for Reconsideration, to Alter or Amend Findings/Judgment),
2. SCRCP Form 4 Order/Judgment issued by the Honorable J C Nicholson, Jr , Circuit Court Judge, dated 6 May 2014, and filed 9 May 2014 (denying Mr Lancaster's Motion for Reconsideration, to Alter or Amend Findings/Judgment);
3. SCRCP Form 4 Order/Judgment issued by the Honorable J.C. Nicholson, Jr , Circuit Court Judge, dated 16 August 2013, and filed 30 August 2013 (granting Mr Lancaster judgment on three of Mr Gordon's causes of action),
4. Supplemental Order issued by the Honorable J C Nicholson, Jr , Circuit Court Judge, dated and filed 30 August 2013 (granting Mr. Lancaster judgment on three of Mr. Gordon's causes of action),
5. SCRCP Form 4 Order/Judgment issued by the Honorable J C Nicholson, Jr , Circuit Court Judge, dated 16 August 2013, and filed 19 August 2013 (granting judgment to Mr Gordon against Mr Lancaster on one cause of action),
6. Order and Judgment issued by the Honorable J C Nicholson, Jr , Circuit Court Judge, dated 16 August 2013, and filed 19 August 2013 (granting judgment to Mr Gordon against Mr Lancaster on one cause of action),
7. Consent Order for Removal issued by the Charleston County Probate Court dated 23 November 2011, and filed 1 December 2011,

8. Order Awarding Plaintiff Attorneys' Fees issued by the Honorable Roger M Young, Master-In-Equity for Charleston County, dated 14 March 2002, and filed 15 March 2002,
- 9 SCRCP Form 4 Order/Judgment issued by the Honorable Roger M Young, Master-In-Equity for Charleston County, dated 5 December 2001;
- 10 Order Granting Judgment In Favor Of Plaintiff issued by the Honorable Roger M Young, Master-In-Equity for Charleston County, dated and filed 5 December 2001.

PLEADINGS

- 1 Statement of Creditor's Claim dated 9 December 2010, and filed 10 December 2010 (Probate Court);
- 2 Summons and Petition dated 2 December 2010, and filed 10 December 2010 (Probate Court),
- 3 Answer of Donald W. Lancaster dated 20 December 2010, and filed 22 December 2010 (Probate Court),
- 4 Complaint dated 1 November 2010, and filed 2 November 2010 (Court of Common Pleas);
- 5 Amended Complaint dated and filed 30 November 2010 (Court of Common Pleas),
- 6 Answer of Donald W Lancaster dated 20 December 2010, and filed 22 December 2010 (Court of Common Pleas),
- 7 Mr Lancaster's Motion for Reconsideration, to Amend Court's Findings, and to Alter or Amend Court's Judgment dated and filed 6 September 2014 (Court of Common Pleas):

TRIAL OR HEARING TRANSCRIPTS

- 1 Trial Transcript for trial held on 13-14 June 2013
pp 1-11, 22-120, 123-124, 134-217, 225-244, 288-293,
- 2 Transcript of Post-Trial Hearing held on 30 October 2013:
p.1

EXHIBITS

- 1 Mr Gordon's Exhibits Nos. 2-14, 19, 21-28, 41-50, 55, 58-62, 68, 76, and 77
- 2 Mr Lancaster's Exhibits Nos 1-12

I, Stephen P Groves, Sr , Esquire, hereby certify pursuant to Rule 209(c), SCACR, the Designation of Matter to be Included in the Record on Appeal submitted by the Appellant, Donald W Lancaster, does not contain any matter and/or items which are not relevant to this appeal

Respectfully submitted

NEXSEN PRUETT, LLC

By


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Attorneys for the Appellant

Charleston, South Carolina

2 January 2015

NPCHAR1 1397620 1-APL-(SPG) 053211-00001

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SC Court of Appeals

Frank Gordon, Jr , Individually and as Trustee
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v

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Appellant

Proof of Service for Initial Brief and DOM

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Attorneys for the Appellant

I, Stephen P Groves, Sr , Esquire, hereby certify that on 2 January 2015, I served a copy of the **Initial Brief and the Designation of Matters to be Included in the Record on Appeal** submitted by the Appellant, Donald W Lancaster, on counsel for the Respondent via the United States Mail, postage pre-paid, and addressed as follows

Justin O'Toole Lucey, Esquire
Stephanie L Drawdy, Esquire
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Attorneys for the Respondent

Signed


Stephen P Groves, Sr

Charleston, South Carolina

2 January 2015

NPCHAR1 1397184 I-APL-(SPG) 053211-00001

Stephen P. Groves, Sr.
Member
Admitted in SC

2 January 2015

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court Of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RECEIVED
JAN 05 2015
SC Court of Appeals

Re **Frank Gordon, Jr., Individually and as Trustee of the Dorothy S. Gordon (Deceased) Trust v Donald W. Lancaster**

Appeal from the Charleston County
Court of Common Pleas

Case Action No 2011-CP-10-8840
Appellate Case Tracking No **2014-001247**
Case Action No 2010-CP-10-9096
Appellate Case Tracking No **2014-001763**
(Consolidated Cases)
NP File No 053211-00001

Charleston

Charlotte

Columbia

Greensboro

Greenville

Hilton Head

Myrtle Beach

Raleigh

Dear Ms Kitchings

Enclosed please find the original and two copies of the following documents in the above-referenced consolidated appellate matters which are being submitted on behalf of the Appellant, Donald W. Lancaster

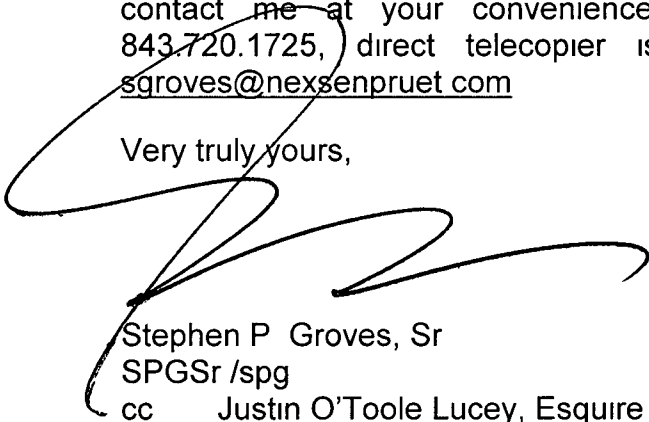
- A **Initial Brief of the Appellant,**
- B **Appellant's Designation of Matter to be Included in the Record on Appeal,** and
- C **Proof of Service**

I would greatly appreciate you filing the **Initial Brief, the DOM,** and the **Proof of Service** with the Court of Appeals and returning a date stamped copy of each to my attention in the enclosed self-addresses, stamped envelope

Honorable Jenny Abbott Kitchings
Clerk of Court
2 January 2015
Page 2 of 2

If you need anything else or I otherwise may be of any assistance to you or to the Court of Appeals regarding this matter, please feel free to contact me at your convenience. My direct telephone number is 843.720.1725, direct telecopier is 843.414.8206, and the e-mail is sgroves@nexsenpruet.com

Very truly yours,



Stephen P. Groves, Sr
SPGSr /spg
cc Justin O'Toole Lucey, Esquire
John J. Dodds, III, Esquire
Mr Donald W Lancaster

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