

THE STATE OF SOUTH CAROLINA  
In The Court Of Appeals

APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas

The Honorable R. Knox McMahon, Circuit Court Judge

RECEIVED

JAN 12 2015

SC Court of Appeals

CASE NO. 2011-CP-21-941

Tracking Number: 2013-001764

74740

Scient Partners, LLC .....Appellant,

v.

Pinnacle Network Solutions, Inc. and Cliff Smith ..... Respondents.

APPELLANT'S *CONSENT* MOTION TO SERVE AND FILE  
AN AMENDED DESIGNATION OF MATTER FOR  
INCLUSION IN THE RECORD ON APPEAL

Pursuant to Rule 240 of the South Carolina Rules of Appellate Practice, Scient Partners, LLC ("Appellant") moves this Court for an Order allowing it to file an Amended Designation of Matter for Inclusion in the Record on Appeal – the proposed Amended Designation is attached hereto. 2) The reason for this request is simple: in its' Reply Brief, the Appellant cited 3 new pages of the trial transcript (pages 443-445) that were not previously designated by either party and under Rule 209, Appellant should have filed – at the same time of filing the Reply Brief -- another Designation adding those pages to the original Designation; because Appellant did not file that supplemental Designation, the 3 new pages cited by the Reply Brief need to be matched to a corresponding supplemental Designation under Rule 209 which is late.

This motion will not prejudice Respondents or Appellants or affect their legal rights. Counsel for Respondent has graciously consented to this request as reflected in the attached e-mail exchange. Appellant has also taken this opportunity to correct a typographical error in its first designation – also with the consent of the Respondents.

January 9, 2015

By: 

J. René Josey (S.C. Bar # 3230)  
Carlyle R. Cromer (S.C. Bar # 100058)  
TURNER, PADGET, GRAHAM & LANEY, P.A.  
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ATTORNEYS FOR APPELLANT

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PROOF OF SERVICE

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I certify that I have served a copy of *Appellant's Consent Motion to Serve and File an Amended Designation of Matter for Inclusion in the Record on Appeal* by depositing copies of the same in the United States mail, postage prepaid, on January 9th, 2015, to all counsel of record at the following address:

Rob King, Esquire  
King, Love & Smith, LLC  
135 South Dargan Street, Suite 201  
Florence, SC 29501

TURNER, PADGET, GRAHAM & LANEY, P. A.

By: 

J. René Josey (S.C. Bar # 3230)  
Carlyle R. Cromer (S.C. Bar # 100058)  
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ATTORNEYS FOR APPELLANT

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**J. RENÉ JOSEY**

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WRITER'S DIRECT DIAL: (843) 656-4451  
WRITER'S DIRECT FAX: (843) 413-5818

January 9, 2015

Hon. Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: Scient Partners, LLC v. Pinnacle Network Solutions and Cliff Smith  
Civil Action No.: 2011-CP-21-941  
Tracking Number: 2013-001764  
TPGL File No.: 7472.103

Dear Ms. Kitchings:

Please find enclosed the original and seven copies of Appellant's Consent Motion to Serve and File an Amended Designation of Matter for Inclusion in the Record on Appeal. Also enclosed are the original and one copy of the Proof of Service for the motion. Please file the original documents and return clocked copies of each to me in the self-addressed stamped envelope provided. Also enclosed you will find my firm's check in the amount of \$25.00 to cover the requisite filing fee for this request.

By copy of this letter to counsel for the Respondents, I am serving him with these documents as indicated in the Proof of Service.

Sincerely,

TURNER, PADGET, GRAHAM & LANEY, P.A.

J. René Josey

JRJ:vlb  
Enclosures

Cc: Rob King, Esquire (w/enclosures)

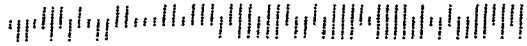
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**SC Court of Appeals**

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