

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

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JAN 12 2015

SC Court of Appeals

CASE NO. 2011-CP-21-941

Tracking Number: 2013-001764

Scient Partners, LLC Appellant,
v.

Pinnacle Network Solutions, Inc. and Cliff Smith Respondents.

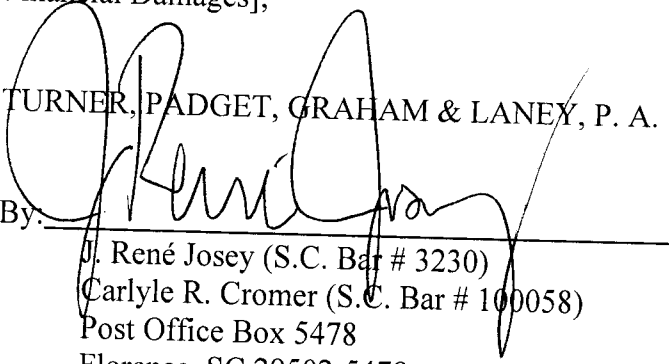
**AMENDED DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL**

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

1. Transcript of Trial Proceedings, pages 25-27, 29-30, 40-41, 45-49, 57-58, 61, 70, 73-75, 81, 100-107, 109-118, 123-125, 126, 133-147, 149-150, 158-161, 167, 207-208, 216-217, 219-220, 230-236, 268, 281, 284-292, 296-300, 305-306, 347-348, 350-354, 368-370, 428-430 **[corrected from 438-430]**, and 443-445 **[added for reference in Reply Brief]**;
2. Order filed 7/3/2013, Denying Appellant's Motions for New Trial and for Judgment Not Withstanding the Verdict;
3. Complaint dated April 11, 2011 and filed that same date;
4. Amended Complaint dated August 1, 2011 and filed August 2, 2011;

5. Notice of Appeal filed August 8, 2013;
6. Plaintiff's Exhibit 5 [Published Interrogatory Answer];
7. Plaintiff's Exhibit 3 [Published Interrogatory Answer];
8. Plaintiff's Exhibit 17-A [Production By South of The Border];
9. Plaintiff's Exhibit 7 [Employee Handbook];
10. Plaintiff's Exhibit 8 [Redacted Non-Compete Agreement];
11. Plaintiff's Exhibit 9 [Confidentiality/Non-Disclosure Agreement];
12. Plaintiff's Exhibit 21 [Calculation of Financial Damages];

January 9, 2015

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

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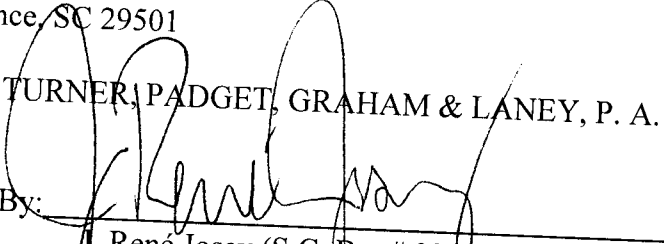
Pinnacle Network Solutions, Inc. and Cliff Smith Respondents.

PROOF OF SERVICE

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

Josey, J. Rene

From: Rob King <rking@klsfirm.com>
Sent: Thursday, January 08, 2015 5:31 PM
To: Josey, J. Rene
Subject: RE: Hillsouth Appeal

OK by me on both counts.

Rob

From: Josey, J. Rene [<mailto:Josey@TurnerPadget.com>]
Sent: Thursday, January 08, 2015 12:42 PM
To: Rob King
Cc: Josey, J. Rene
Subject: Hillsouth Appeal

Rob,

Two issues have popped up as I prepare the Record on Appeal; I believe they are both routine but want to make sure you agree:

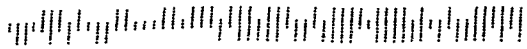
- 1) There was a typo in my original designation of matter wherein I specified pages "438-430" of the transcript and it should have been "428-430" – from my call to Dianne at the Court of Appeals, I believe this can be fixed with a "corrected" designation – although Rule 211(b)(2) on addresses the correction of typos in the briefs – any objection to me correcting that typo? (It doesn't change the Brief at all which cites to the correct page numbers of the transcript);
- 2) In my Reply Brief, I cite 3 new pages of the trial transcript (pages 443-445) that were not previously designated by either party and under Rule 209, I should have filed – at the same time of filing the Reply Brief -- another Designation adding those pages to the original Designation – I did not file that supplemental Designation but the pages are designated in the Brief and need to be matched to a corresponding supplemental Designation under Rule 209 which I need to file late – requiring a motion I believe – can you consent?

Obviously, if you want to make any corrections or supplements, I will consent to them.

Rene'

Turner | Padget

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Hon. Jenny Abbott Kitchings
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P.O. Box 11629
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JAN 22 2015

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