

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

William P. Keesley, Circuit Court Judge

Case No. 2011-CP-32-1929

Rose Electric, Inc., Appellant

v.

Cooler Erectors of Atlanta, Inc., Southern Produce, Inc., S2P, LLC, Certified
Development Corporation of South Carolina, Senn Bros., Inc.,
Custom Concrete of Lexington, Inc., and
James Dunlap d/b/a Dunlap Services, Defendants

Of whom

Southern Produce, Inc. and S2P, LLC are Respondents

DESIGNATION OF MATTER

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

1. Order dated January 30, 2014;
2. Order dated June 11, 2014;
3. Complaint dated May 20, 2011;
4. Answer of Southern Produce, Inc. dated July 25, 2011;
5. Answer of S2P, LLC dated October 7, 2011;
6. Answer of Senn Bros., Inc. dated October 6, 2011;
7. Plaintiff's Motion to Alter or Amend dated February 21, 2014;

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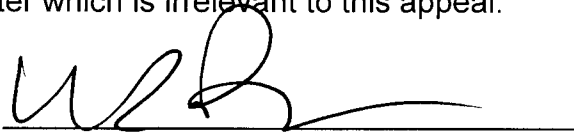
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SC Court of Appeals

8. Offer of Judgment dated June 30, 2011;
9. Offer of Judgment dated July 25, 2011;
10. Offer of Judgment dated January 23, 2012;
11. Transcript of Trial held on February 13, 2013;
12. Plaintiff's Exhibits 1-18; and
13. Defendant's Exhibits 1-17.

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

January 28, 2015



William E. Booth III
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SC Bar No. 771

Attorney for Appellant

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Of whom

Southern Produce, Inc., S2P, LLC are Respondents

PROOF OF SERVICE

I certify that I have served the Initial Brief of Appellant by causing to be mailed via First Class US Mail with sufficient postage affixed thereto, on July 24, 2014, addressed to the Respondent Southern Produce, Inc.'s attorney of record, Kathryn M. Cook, Esquire Cook & Roy, LLC, P.O. Box 4086, N. Myrtle Beach SC 29597.

January 28, 2015



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Of whom

Southern Produce, Inc. and S2P, LLC.....are Respondents

PROOF OF SERVICE

I certify that I have served the Initial Brief of Appellant by causing to be mailed via First Class US Mail with sufficient postage affixed thereto, on July 24, 2014, addressed to the Respondent S2P, LLC's and Senn Bros, Inc.'s attorney of record, Jon Robin Turner, Esquire, 1722 Marion Street, Columbia SC 29201.

January 28, 2015



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January 28, 2015

Honorable Jenny Abbott Kitchings
Clerk of Court of the Court of Appeals
1015 Sumter Street
Columbia, SC 29201

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SC Court of Appeals

Re: Rose Electric, Inc. vs. Southern Produce, Inc., et al.
C/A No. 2011-CP-32-1929
Appellate Case No. 2014-001633
(Our File No. 4657.1151)

Dear Ms. Kitchings:

I represent the Appellant in this action and I enclose for filing the following:

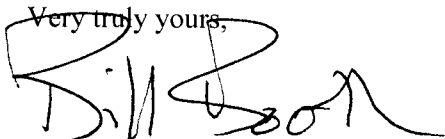
1. Original Initial Brief of Appellant;
2. Original Designation of Matter;
3. Original Proof of Service on Respondent Southern Produce, Inc.; and
4. Original Proof of Service on Respondent S2P, LLC.

By copy of this letter, I am serving a copy of same on counsel for Respondents Southern Produce, Inc. and S2P, LLC.

I also ask that the Court modify the caption of this matter in that Certified Development Corporation of South Carolina, Senn Bros, Inc., Custom Concrete of Lexington, Inc. and James Dunlap d/b/a Dunlap Services were all dismissed from this action either prior to or during the trial of this action and their names should not appear as Defendants or Respondents. If I need to file a motion with the Court on this, I request that you let me know as soon as possible.

I appreciate your assistance on this.

Very truly yours,



William E. Booth III

Enclosure

C: J. Robin Turner, Esquire (w/Enc.)
Kathryn M. Cook, Esquire (w/Enc.)