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FEB 26 2015

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM THE DORCHESTER COUNTY

Court of Common Pleas

The Honorable Perry M. Buckner, Circuit Court Judge

Case No. 2012-CP-18-1647

Diane S. Goodstein, Respondent,

v.

Seal-O-Flex, Inc. and Latitude Construction Services, LLC, Defendants,

Of Whom Seal-O- Flex, Inc. is the Appellant.

MOTION TO AMEND DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

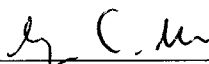
Appellant hereby moves the Court for an order allowing Appellant to amend its Designation of Matter to be Included in the Record on Appeal, dated November 13, 2014 (attached hereto as Exhibit A), for the reason set forth below.

Appellant initially designated pages 5 through page 25 of the Transcript of Record of July 9, 2014 Hearing on Motion to Set Aside Default Judgment. Upon review of Appellant’s Initial Brief, Respondent’s Initial Brief and Appellant’s Reply Brief, counsel for Appellant has determined that only pages 6, 8, 20, and 22 are referenced in Appellant’s Initial and Reply Briefs,

and Respondent makes no reference to the Transcript of Record in her Initial Brief. All other designated pages of the Transcript of Record now appear to be irrelevant to this appeal and should not be included in the Record on Appeal. This Motion is supported by Rule 210(c) and (g), SCACR, which requires “Appellant or his counsel shall certify that the Record on Appeal contains all materials proposed to be included by any of the parties and not any other material.”

Therefore, Appellant moves to amend its Designation of Matter to be Included in the Record on Appeal to no longer include pages 5, 7, 9-19, 21, and 23-25 of the Transcript of Record of July 9, 2014 Hearing on Motion to Set Aside Default Judgment (attached hereto as Exhibit B).

Counsel for Respondent does not consent to this motion.



Suzanne C. Ulmer, Esquire
Kernodle Root + Coleman
P. O. Box 13897
Charleston, SC 29422-3897
(843) 795-7800
Attorney for Appellant

February 23, 2015

STATE OF SOUTH CAROLINA

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Perry M. Buckner, Circuit Court Judge

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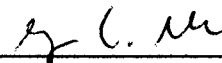
Seal-O-Flex, Inc. and Latitude Construction Services, LLC Defendant,

Of Whom Seal-O-Flex, Inc. is the Appellant.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 23, 2015 she served a copy of the foregoing Appellant's **Motion to Amend Designation of Matter to be Included in the Record on Appeal** by depositing the same in the U.S. Mail, First Class postage prepaid, and addressed to the following:

Arnold S. Goodstein, Esquire
Goodstein Law Firm, LLC
P.O. Box 2350
Summerville, SC 29484-2350
ATTORNEY FOR RESPONDENT


Suzanne C. Ulmer

THE STATE OF SOUTH CAROLINA

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NOV 17 2014

Court of Appeals

APPEAL FROM THE DORCHESTER COUNTY

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Perry M. Buckner, Circuit Court Judge

Case No. 2012-CP-18-1647

Diane S. Goodstein, Respondent,

v.

Sealoflex, Inc. and Latitude Construction Services, LLC Defendants.

Of Whom Sealoflex, Inc. is Appellant.

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL


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

1. Order Denying Defendant Seal-O-Flex's Motion to Set Aside Default Judgment of July 31, 2014;
2. Sealoflex, Inc.'s Motion to Set Aside Default Judgment of January 15, 2014 (including Exhibit A (Summons, Complaint & Civil Action Cover Sheet), Exhibit B (Return Receipt), Exhibit C (Affidavit of Robert Kauffmann), Exhibit D (Affidavit of Anne Ellington), Exhibit E (Affidavit of Wanda Gumbs), Exhibit F (Order Granting Plaintiff's Motion for Order of Default as to Defendant Seal-O-Flex, Inc. of August 30, 2013), and Exhibit G (Order for Judgment of January 7, 2014));
3. Notice of Appeal of September 2, 2014; and

4. Transcript of Record of July 9, 2014 Hearing on Motion to Set Aside Default Judgment, pp 5-25.

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

November 13, 2014



Suzanne C. Ulmer
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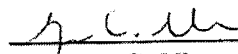
Sealoflex, Inc. And Latitude Construction Services, LLC Defendant,

Of Whom Sealoflex, Inc. is Appellant.

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ATTORNEY FOR RESPONDENT


Suzanne C. Ulmer

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APPEAL FROM THE DORCHESTER COUNTY

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Diane S. Goodstein, Respondent,

v.

Seal-O-Flex, Inc. and Latitude Construction Services, LLC Defendants,

Of Whom Seal-O-Flex, Inc. is the Appellant.

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

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2. Sealoflex, Inc.’s Motion to Set Aside Default Judgment of January 15, 2014 (including Exhibit A (Summons, Complaint & Civil Action Cover Sheet), Exhibit B (Return Receipt), Exhibit C (Affidavit of Robert Kauffmann), Exhibit D (Affidavit of Anne Ellington), Exhibit E (Affidavit of Wanda Gumbs), Exhibit F (Order Granting Plaintiff’s Motion for Order of Default as to Defendant Seal-O-Flex, Inc. of August 30, 2013), and Exhibit G (Order for Judgment of January 7, 2014));
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4. Transcript of Record of July 9, 2014 Hearing on Motion to Set Aside Default Judgment, pp 6, 8, 20 and 22.

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

February 23, 2015

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Attorney for Appellant

KERNODLE
ROOT
COLEMAN

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SC Court of Appeals *Suzanne C. Ulmer, Esquire*
sulmer@kernodlelaw.com

February 23, 2015

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: *Diane S. Goodstein v. Sealoflex, Inc. and Latitude Construction Services, LLC*,
Appellate Case No.: 2014-001918
Our File No. 14-3

Dear Ms. Kitchings:

In regard to Appellate Case No.: 2014-001918, I am enclosing an original and one (1) copy of a Motion to Amended Designation of Matter to be included in the Record on Appeal. Also enclosed is our firm check in the amount of \$25.00 in payment of the required motion fee.

Kindly return a clocked copy of the Motion to me in the self-addressed, stamped envelope that is enclosed.

Thank you for your consideration in this matter, and with kindest regards, I remain

Very truly yours,



Suzanne C. Ulmer

SCU/ads
Enclosure

cc: Arnold S. Goodstein, Esquire,

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SC Court of Appeals

14-3

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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