

STATE OF SOUTH CAROLINA
IN THE
COURT OF APPEALS

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SC Court of Appeals

Appeal from the Court of Common Pleas
For Charleston County
Honorable J. C. Nicholson, Jr., Circuit Judge
Civil Action No.: 2011-CP-10-8840

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

Respondent.

v.

Donald W. Lancaster,

Appellant.

**RESPONDENT'S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

COMES NOW the Respondent, Frank Gordon, Jr., Individually and as Trustee
of the Dorothy S. Gordon (Deceased) Trust, pursuant to Rule 208 of the South Carolina
Appellate Court Rules and designates the following to be included in the Record of Appeal:

I. Orders

Case Nos. 2010-CP-10-9096; 2011-CP-10-8840

1. Order Compelling Discovery & Denying Partial Summary Judgment, June 5, 2012
2. Order & Judgment, August 19, 2013
3. Judgment In A Civil Case for Gordon, Form 4, August 19, 2013
4. Judgment In A Civil Case Denying Defendant's Motion to Reconsider, Form 4, May 9, 2014
5. Judgment In A Civil Case Denying Defendant's Motion to Reconsider & Amend, Form 4, May 21, 2014

Case No. 99-CP-10-1407

6. Order Granting Judgment in Favor of Plaintiff, December 5, 2001

7. Order Awarding Plaintiff's Attorney's Fees, March 15, 2002
8. Order Awarding Plaintiff's Appellate Fees & Expenses, September 28, 2005
9. Order for Supplemental Proceedings August 2, 2006
10. Master's Supplemental Proceedings Order September 28, 2006

II. Pleadings

Case Nos. 2010-CP-10-9096; 2011-CP-10-8840

1. Summons & Complaint November 2, 2010
2. Amended Summons & Complaint November 30, 2010
3. Plaintiff's Motion to Take Judicial Notice of Adjudicative Facts June 7, 2013
4. Plaintiff's Rule 16(c) Pre Trial Brief June 7, 2013 Plaintiff's Designation for Publication of May 14, 2011 Deposition of Jessie Atkinson and Referenced Pages June 12, 2013
5. Plaintiff's Designation for Publication of September 26, 2006 Hearing Transcript and Referenced Pages June 12, 2013
6. 2nd Amended Summons & Complaint, June 12, 2013.

Case No. 1999-CP-10-1407

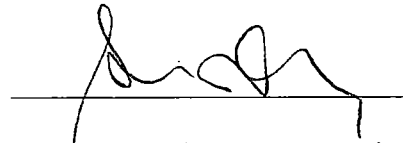
7. Summons & Complaint, April 16, 1999

III. Evidence

1. Trial Transcript Vol. I, pp.: 8-12, 22-31, 34, 36, 39-43, 45-59, 62-65, 67, 70-72, 74-75, 81-86, 88-92, 96, 99-100, 113-117, 119, 121-140, 143, 144-145, 149-151, 153-154, 157, 160-162, 170-171, 181-182, 192, 211-214,
2. Trial Transcript Vol. II, pp.: 289-293, 245-287, 294-295
3. Trial Exhibits
Plaintiff's Exhibits: 2, 3, 5-7, 9-14, 19, 21-25, 27-28, 41-45, 47 - 49, 50, 52-60, 62-70, 72, 74, 77, 81-82
Defendant's Exhibits: 5-8, 10-12
4. Transcript of Supplemental Proceeding, September 26, 2006
5. Depositions: None

Pursuant to Rule 208(c), SCACR, the undersigned, Justin O'Toole Lucey, Esquire, certifies that this Designation of Record on Appeal contains no matter which is irrelevant to this appeal.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Justin O'Toole Lucey", is written over a horizontal line.

Justin O'Toole Lucey, Esquire
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**Proof of Service for Initial Brief
and Designation of Matter**

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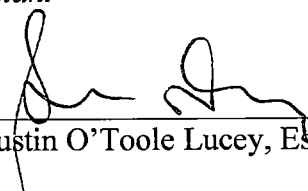
Attorneys for the Respondent

I, Justin O'Toole Lucey, Esquire, hereby certify that on April 3, 2015, I served a copy of the *Respondent's Initial Brief and DOM* submitted by the Respondent, Frank Gordon, Jr., Individually and as Trustee of the Dorothy S. Gordon (Deceased) Trust, on counsel for Appellant, Donald W. Lancaster, via the United States Mail, postage pre-paid, and addressed as follows:

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Signed: 
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Mount Pleasant, SC
April 3, 2015