

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM COLLETON COUNTY
Court of Common Pleas

J. Ernest Kinard, Jr., Judge

Case No. 2014-002733

RECEIVED
MAY 04 2015
SC Court of Appeals

Samuel Washington, Jr., Respondent,

v.

South Carolina Electric and Gas Company; and Emerson Electric Company d/b/a
Emerson Network Power, and/or Emerson Network Power, Defendants,

Of Whom South Carolina Electric and Gas Company is the Appellant.

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

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

1. Complaint, May 28, 2013
2. Answer, November 6, 2013
3. Motion for Summary Judgment, November 6, 2013
4. Order Continuing Motion for Summary Judgment, February 6, 2014
5. Ralph Polk Deposition, May 9, 2014
6. Richard Wilson Deposition, May 9, 2014
7. Larry Purvis Deposition, May 21, 2014
8. Joe Foster Deposition, May 21, 2014
9. SCE&G's Answers to Plaintiff's First Set of Interrogatories, January 6, 2014
10. SCE&G's Responses to Plaintiff's First Requests for Production, January 6, 2014
11. SCE&G's Supplemental Memorandum in Support of Its Motion for Summary Judgment, August 29, 2014
12. Plaintiff's Supplemental Response in Opposition to SCE&G's Motion for Summary Judgment, September 5, 2014

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v.

South Carolina Electric and Gas Company; and Emerson Electric Company d/b/a Emerson
Network Power, and/or Emerson Network Power, Defendants,

Of Whom South Carolina Electric and Gas Company.....Appellant.

CERTIFICATE OF COUNSEL

The undersigned certifies that the Designation of Matter to be Included in the
Record on Appeal complies with Rule 209(c), SCACR and contains no matter which is
irrelevant to the appeal.

May 1, 2015



John A. Massalon, Esquire SC Bar #010279
I. Ryan Neville, Esquire SC Bar # 76513
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ATTORNEYS FOR APPELLANT

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Of Whom South Carolina Electric and Gas Company.....Appellant.

PROOF OF SERVICE

I certify that I served Appellant's Designation of Matter to be Included in the Record on Appeal on Respondent Samuel Washington, Jr. by depositing a copy of it in the United States Mail, postage prepaid, on May 1, 2015 addressed to his attorneys of record; Margie Bright Matthews, Margie Bright Matthews, LLC, Post Office Box 499, Walterboro, SC 29488 and S. Kirkpatrick Morgan, Jr. and Charles T. Slaughter, Walker Morgan, LLC, Post Office Box 949, Lexington, SC 29071, and that the same was also served on Co-Defendant Emerson Electric Company d/b/a Emerson Network Power, and/or Emerson Network Power by depositing a copy of it in the United States Mail, postage prepaid, on May 1, 2015 addressed to his attorneys of record, H. Michael Bowers, Esquire, Smith Moore Leatherwood LLP, 25 Calhoun Street, Suite 250, Charleston, SC 29401.

May 1, 2015



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Direct Dial: (843) 793-6041

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RE: Samuel Washington, Jr. v. South Carolina Electric and Gas Company, Emerson Electric Company d/b/a Emerson Network Power, and/or Emerson Network Power
Appellate Case No.: 2014-002733
Our File No.: 1900-202

Dear Ms. Kitchings:

In regard to the above-referenced matter, please find enclosed an original and one (1) copy of the following:

1. Appellant's Initial Brief;
2. Proof of Service of Appellant's Initial Brief;
3. Appellant's Designation of Matter to be Included in the Record on Appeal;
4. Proof of Service of Appellant's Designation of Matter to be Included in the Record on Appeal; and
5. Certificate of Counsel.

Please file the originals, file-stamp the copies, and return the copies to me in the self-addressed, stamped envelope provided. By copy of this correspondence I am serving the same upon all counsel of record. If you have any questions, please do not hesitate to contact me.

With kind regards, I am

Sincerely,

WILLS MASSALON & ALLEN LLC



I. Ryan Neville
rneville@wmalawfirm.net

Enclosures

cc: Margie Bright Matthews, Esquire
S. Kirkpatrick Morgan, Jr., Esquire
Charles T. Slaughter, Esquire

H. Michael Bowers, Esquire
Bryony Bowers Hodges, Esquire (via e-mail)
Ms. Sandy Kammer (via e-mail)