

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APR 08 2015

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

SC Court of Appeals

Frank R Addy, Jr , Circuit Court Judge

Case No. 2013-CP-36-193
Tracking No. 2014-002410

Raymond D. Hobby, *Respondent,*

v

Mary T. Hobby, *Appellant,*

v.

Frances B. Knowlton, Individually and as Trustee, *Respondent.*

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

Respondent Frances B. Knowlton (correctly known as Francis B B. Knowlton) hereby designates the following to be included in the record on appeal.

1. Complaint, filed April 26, 2013
2. Ms. Hobby's Answer, filed May 9, 2013
3. Ms. Hobby's Amended Answer, Counterclaim and Third Party Complaint, filed June 10, 2013
4. First Amended Complaint, filed June 13, 2013 (with exhibits)
5. Answer and Counterclaim of Frances B. Knowlton (Correctly known as Francis B. B Knowlton), filed June 28, 2013

6. Defendant and Third Party Plaintiff's Reply to Counterclaim of Third Party Defendant, filed September 18, 2013
7. Ms. Hobby's Answer to Amended Complaint, Counterclaim and Third Party Complaint, filed September 9, 2013
8. Answer and Counterclaim of Frances B. Knowlton (Correctly known as Francis B. B. Knowlton) to the Amended Complaint, Counterclaim and Third Party Complaint Dated September 6, 2013, filed September 12, 2013
9. Ms. Hobby's Reply to Counterclaim of Third Party Defendant, filed September 18, 2013
10. Mr. Hobby's Reply to Defendant's Counterclaim, filed October 8, 2013
11. Mr. Hobby's Motion for Partial Summary Judgment, filed July 9, 2013
12. Ms. Hobby's Motion for Summary Judgment, filed September 20, 2013
13. Trustee's Motion for Summary Judgment, filed December 27, 2013
14. Third Party Defendant Frances B. Knowlton's (Correctly Known as Francis B. B. Knowlton) Memorandum in Opposition to Third Party Plaintiff Mary T. Hobby's Motion for Summary Judgment (with exhibits)
15. Memorandum in Support of Third Party Defendant Frances B. Knowlton's (Correctly Known as Francis B. B. Knowlton) Motion for Summary Judgment (with exhibits)
16. Plaintiff's Amended Memorandum in Support of Motion for Partial Summary Judgment and in Opposition to Defendant's Motion for Summary Judgment (with exhibits)
17. Ms. Hobby's Motion to Alter or Amend and/or to Reconsider, filed May 23, 2014
18. Affidavit of Francis B.B Knowlton dated May 20, 2013
19. Affidavit of Francis B.B. Knowlton, filed December 27, 2013
20. Affidavit of Raymond Hobby, filed March 12, 2014 (dated March 11, 2014)
21. Affidavit of Julian W. Walker, Jr., filed December 27, 2013
22. Affidavit of Terry Williams, filed March 12, 2014 (dated March 10, 2014)

23. Excerpts from Deposition of Julian W. Walker, Jr., February 27, 2014, pp. 85, 139

24. May 12, 2014 Order of The Honorable Frank R. Addy, Jr.

25. October 17, 2014 Order of The Honorable Frank R. Addy, Jr.

26. Transcript of Record for March 12, 2014 and October 17, 2014

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



R. Davis Howser

Jeffrey Silverberg

Howser, Newman & Besley, LLC

Post Office Box 12009

Columbia, South Carolina 29211

Phone: (803) 758-6000

Fax: (803) 758-4445

rdhowser@hnblaw.com

jsilverberg@hnblaw.com

Attorneys for Respondent Knowlton

April 8, 2015

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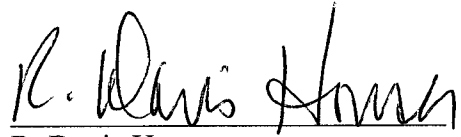
Frances B. Knowlton, Individually
and as Trustee,

Respondent

**CERTIFICATE OF COUNSEL FOR
RESPONDENT FRANCES B. KNOWLTON (CORRECTLY KNOWN AS
FRANCIS B. B. KNOWLTON)**

The undersigned hereby certifies that the Initial Brief of Respondent Frances B. Knowlton (correctly known as Francis B. B. Knowlton) is in substantial compliance with Rule 208(b), SCACR

[Signature Block on Next Page]

A handwritten signature in black ink, appearing to read "R. Davis Howser". The signature is written in a cursive style with a horizontal line underneath the name.

R. Davis Howser
Jeffrey Silverberg
Howser, Newman & Besley, LLC
Post Office Box 12009
Columbia, South Carolina 29211
Phone (803) 758-6000
Fax. (803) 758-4445
rdhowser@hnblaw.com
jsilverberg@hnblaw.com

Attorneys for Respondent Knowlton

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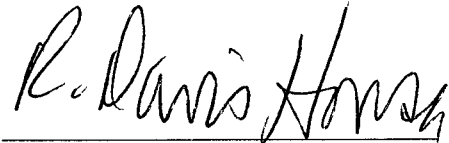
Respondent

PROOF OF SERVICE

I, the undersigned employee of Howser Newman & Besley, LLC, hereby certify that pursuant to Rules 209(a) and 233(b), *SCACR*, I have caused to be served *Respondent Frances B Knowlton, Individually and as Trustee's Designation of Matter to be Included in the Record on Appeal* in this matter on Appellant and Respondent Hobby via hand delivery on April 8, 2015, addressed to:

James L. Bruner, Esquire
Benjamin C. Bruner, Esquire
Bruner Powell Wall & Mullins, LLC
1735 St Julian Place, Suite 200
Columbia, South Carolina 29204
Attorneys for Respondent
Raymond D Hobby

Pope D. Johnson, III, Esquire
Pope D Johnson, III Attorney at Law
1230 Richland Street
Columbia, South Carolina 29201
Attorney for Appellant
Mary T Hobby



R. Davis Howser
Jeffrey Silverberg
Howser, Newman & Besley, LLC
Post Office Box 12009
Columbia, South Carolina 29211
Phone: (803) 758-6000
Fax: (803) 758-4445
rdhowser@hnblaw.com
jsilverberg@hnblaw.com

Attorneys for Respondent Knowlton

April 8, 2015



**HOWSER, NEWMAN
& BESLEY, LLC**

Attorneys and Counselors at Law

Post Office Box 12009
Columbia, SC 29211
www.hnblaw.com

Columbia Office
1508 Washington Street
Columbia, SC 29201
Telephone 803 758 6000
Fax 803 758 4445
Toll Free 866 207 6209

Charleston Office
215 East Bay Street
Suite 303
Charleston, SC 29401
Telephone 843 216 6940
Fax 843 216 6942
Toll Free 877 216 6970

R Davis Howser
James P Newman, Jr <
William G Besley <
Benjamin D McCoy ^
Kelley Shull Cannon †
Andrew E Haselden <
George V Hanna, IV *
Michal Cooper Jones
Kylie L Keesley ^
Jennifer E Thomas
Albert Richard Pierce, Jr *
James P Sullivan
Justin P Novak
Vincent C Northcutt <
Kate K Hemingway
Jeffrey I Silverberg

< Certified Circuit Court Mediator
& Certified Circuit Court Mediator and Arbitrator
† Certified Circuit Court Arbitrator
* Also Admitted in North Carolina

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VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

RE: *Raymond D Hobby, Respondent v Mary T Hobby, Appellant v Frances B Knowlton, Individually and as Trustee, Respondent*

Tracking No 2014-002410

Dear Ms. Kitchings:

We enclose herewith for filing the original and three (3) copies of the following documents in the above-referenced action. Please return the clocked-in copies of these documents to us via our courier.

- (1) Initial Brief of Respondent Frances B. Knowlton, Individually and as Trustee,
- (2) Certificate of Counsel for Respondent Frances B. Knowlton, Individually and as Trustee;
- (3) Proof of Service of the Initial Brief of Respondent Frances B. Knowlton, Individually and as Trustee;
- (4) Respondent Frances B. Knowlton, Individually and as Trustee's Designation of Matter to be Included in the Record on Appeal; and
- (5) Proof of Service of Respondent Frances B. Knowlton, Individually and as Trustee's Designation of Matter to be Included in the Record on Appeal

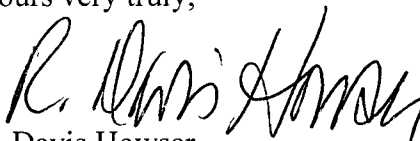
Letter to Ms. Kitchings
Page 2
April 8, 2015

By copy of this letter, I am serving Appellant Mary T. Hobby and Respondent Raymond D. Hobby with copies of each of the above-described documents.

Thank you for your attention in this matter.

With kind regards, I am

Yours very truly,


R. Davis Howser

RDH/lis

Enclosures

cc: James L. Bruner, Esquire
Benjamin C. Bruner, Esquire
Pope D Johnson, III, Esquire