

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEALS FROM CHARLESTON COUNTY
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Appellate Case No. 2014-002020
Circuit Case No. 2011-CP-10-7819

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SC Court of Appeals

BETTY FISHER.....Appellant

v.

BESSIE HUCKABEE.....Respondent

Appellate Case No. 2014-002028
Circuit Case No. 2011-CP-10-7821

LISA FISHER.....Appellant

v.

BESSIE HUCKABEE.....Respondent

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Appellate Case No. 2014-002034
Circuit Case No. 2011-CP-10-8657

LISA FISHER.....Appellant

v.

BESSIE HUCKABEE.....Respondent

**CONSOLIDATED DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD
OF APPELLANTS**

JOHN HUGHES COOPER, ESQUIRE
1476 Ben Sawyer Blvd. Ste. 7
Mount Pleasant, SC 29464
shiplaw@jhcooper.com
843-883-9099; fax 843-883-9335

(Attorney for Appellants)

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Appellants hereby designate the following matter to be included on Appeal:

ORDERS AND JUDGMENTS:

1. Order for Emergency Appointment of Guardian dated August 4, 2008
2. Order for Appointment of Temporary Co-Guardians dated August 18, 2008
3. Order for Appointment of Conservator dated August 18, 2008
4. Order re; Temporary Restraining Order and Preliminary Injunction against Removal of Alice Shaw Baker from her home dated September 16, 2008
5. Order Awarding Fees to Temporary Co-Guardians for period from July 31, 2008 and August 27, 2008 dated November 10, 2008
6. Order Awarding Fees to Temporary Co-Guardians for services August 29, 2008 through September 9, 2008 dated November 10, 2008
7. Order for Attorney Fees and Costs to C. Mac Gibson, Jr. Dated November 10, 2008
8. Order Awarding Fees to Temporary Co-Guardian Jane Orenstein for services from September 10, 2008 to September 18, 2008 dated November 10, 2008
9. Order Appointing Lisa Fisher as Guardian and Conservator of Alice Shaw Baker dated November 18, 2008
10. Order Approving Attorney Fees dated February 27, 2009
11. Order Granting Fees by Court Appointed Guardian Ad Litem for Alice Shaw Baker for services from November 1 through December 1, 2008 dated December 5, 2008
12. Order Granting Fees by Court Appointed Guardian Ad Litem for Alice Shaw Baker for services from December 12, 2008 through December 29, 2008 dated January 8, 2009
13. Order Granting Fees by Court Appointed Guardian Ad Litem for Alice Shaw Baker for services from January 1, 2009 through February 25, 2009 and Final Discharge of GAL dated February 27, 2009
14. Order Granting Fees by Court Appointed Guardian Ad Litem for Alice Shaw Baker for services from February 9-28, 2009 dated March 25, 2009
15. Order Approving Attorney Fees (Not Signed) dated April 2009

16. Order Approving Attorney Fees (Not Signed) dated May 2009
17. Order Terminating Conservatorship, Filing of Final Accounting and Release of Estate Assets dated May 11, 2009
18. Order Approving Attorney Fees (Not Signed) dated April 2009
19. Order Appointing Special Fiduciary dated September 28, 2011
20. Orders Freezing Assets Dated October 14, 2011
21. Denial of Motion for Approval of Fees and Expenses of Guardian and Conservator dated October 14, 2011
22. Denial of Motion to Alter or Amend Orders Freezing Assets dated
23. Denial of Motion to Alter or Amend Denial of Renewed Motion for Approval of Fees and Expenses of Guardian and Conservator dated November 9, 2011
24. Form 4—Judgment in a Civil Case dated August 14, 2014 (Case no. 2011-CP-10-7819)
25. Form 4—Judgment in a Civil Case dated August 14, 2014 (Case no. 2011-CP-10-7821)
26. Form 4—Judgment in a Civil Case dated August 14, 2014 (Case no. 2011-CP-10-8657)

PLEADINGS

27. Petition for Appointment of Conservator filed on July 31, 2008
28. Petition for Finding Incapacity Appointment of Guardian dated July 31, 2008
29. Petition for Emergency Appointment of Guardian dated July 31, 2008
30. Certificate of Appointment of Family Services, Inc as Temporary Conservator dated August 18, 2008
31. Certificate of Appointment of Walter R. Kaufmann, Esquire and Jane Orenstein as Temporary Co-Guardians dated August 18, 2008
32. Petitioner John Hughes Cooper's Petition For Successor Guardian dated August 19, 2008
33. Elisabeth Spencer's Answer to Petitioner John Hughes Cooper's Petition for Successor Guardian (sic) dated August 21, 2008

34. Motion for a Temporary Restraining Order and A Preliminary Injunction Against Removal of Alice Shaw Baker from her Home dated September 4, 2008
35. Answer to Petition of Elisabeth Spencer filed September 9, 2008
36. Doctor's Affidavit Regarding Capacity-Shannon Honney, M.D. dated October 8, 2008
37. Inventory and Appraisalment by Family Services, Inc. (original) dated October 16, 2008
38. Visitor's Report filed on October 20, 2008
39. Report of Designated Examiner dated October 27, 2008
40. Evaluation for Conservatorship and Custodianship by Dr. Leonard W. Mulbry, Jr. Dated October 26, 2008
41. Memorandum in Support of Appointment of Lisa Fisher as Guardian and Conservator dated October 29, 2008
42. Fee Request by Examiner dated October 29, 2008
43. Bond in the amount of \$401,700.00 dated November 19, 2008
44. Report of Neuropsychological Consultation dated November 20, 2008
45. Affidavit Regarding Attorneys Fees dated December 1, 2008
46. Monthly Visitor's Report by Court Appointed Guardian Ad Litem for Alice Shaw Baker (November 1 through December 1, 2008 filed December 2, 2008
47. Petition for Discharge Conservatorship filed December 19, 2008
48. Annual Report of Guardian Filed January 9, 2009
49. Letter Brief by Peter Kouten dated January 16, 2009
50. Report of Neuropsychological Consultation dated November 20, 2008
51. Conservator Annual Accounting dated January 29, 2009
52. Certificate of Discharge Family Services Inc dated February 18, 2009
53. Motion for order of Termination of Conservatorship Filing of Final Accounting and Distribution of Estate Assets to Court Appointed Personal Representative filed March 2, 2009

54. Petition for Discharge of Guardianship and Conservatorship filed March 2, 2009
55. Death Certificate of Alice Shaw Baker Issued March 10, 2009
56. Certificate of Appointment of Personal Representative dated March 20, 2009 (Case no. 2009-ES-10-00378)
57. Motion for Approval of Attorneys Fees and Memorandum dated April 27, 2009
58. Memorandum in Opposition to Petition for Discharge and to Motion for Order of Termination of Conservatorship, Filing of Accounting, and Distribution of Estate Assets to Court Appointed Personal Representative and Motion for Continuance and Memorandum filed on April 29, 2009
59. Amended Motion for Approval of Attorney Fees and Memorandum dated May 7, 2009
60. Amended Affidavit regarding Attorneys Fees dated May 7, 2009
61. Conservator Annual Account dated May 26, 2009
62. Petition for Discharge Guardianship and Conservator dated May 26, 2009
63. Motion for Extension re: Delivery of Assets dated May 26, 2009
64. Motion for Approval of Fees and Expenses of Guardian and Conservator and Memorandum in Support dated July 21, 2009
65. Motion for Extension re: Delivery of Assets dated August 14, 2009
66. Motion for Extension re: Delivery of Assets dated November 12, 2009
67. Motion for Extension re: Delivery of Assets dated February 16, 2010
68. Motion for Extension re: Turnover Assets dated May 10, 2010

69. Motion for Extension re: Turnover Assets dated August 11, 2010
70. Motion for Extension re: Turnover Assets dated November 10, 2010
71. Motion for Extension re: Turnover Assets dated February 7, 2011
72. Motion for Extension re: Turnover Assets dated May 13, 2011
73. Motion to Appoint Special Fiduciary for Conservatorship Assets dated May 20, 2011
74. Lisa Fisher, Esquire's Motion to Strike and Memorandum in Opposition to Bessie Huckabee's Motion to Appoint Special Fiduciary dated June 1, 2011
75. Conservator Amended Annual Accounting for December 23, 2008 through December 31, 2009 filed on June 1, 2011
76. Conservator Annual Accounting for period from January 1, 2010 through December 31, 2010 dated May 31, 2011
77. Objections by Lisa Fisher to Proposed Order by Bessie Huckabee dated September 21, 2011
78. Lisa Fisher, Esquire's Objection to Court's Consideration of Huckabee's Motion to Appoint Special Fiduciary dated August 12, 2011
79. Objections by Lisa Fisher, Esq. To Second, Duplicate Proposed Order by Bessie Huckabee dated September 29, 2011
80. Motion of Reconsideration of Probate Court Order Dated September 28, 2011 Appointing Special Fiduciary and Lisa Fisher's Opposition to Motion to Appoint Special Fiduciary; Affidavit of Lisa Fisher; Affirmation of Consultation filed October 7, 2011
81. Interested Party Betty Fisher's Rule 60(b)(4) Motion to Set Aside Void Probate court Order Dated September 28, 2011 Appointing Special Fiduciary and Memorandum of Law In Support of Motion filed October 7, 2011
82. Lisa Fisher's Motion to Alter or Amend Denial of Renewed Motion for Approval of Fees and Expenses of Guardian and Conservator filed October 20, 2011
83. Lisa Fisher's Motion to Alter or Amend the Orders Freezing Assets dated October 14, 2011 filed on October 20, 2011
84. Notice of Intent to Appeal filed October 25, 2011 (Betty Fisher)
85. Notice of Intent to Appeal filed October 25, 2011 (Lisa Fisher)

86. Notice of Intent to Appeal filed November 21, 2011 (Lisa Fisher)
87. Statement of Grounds by Appellant Betty Fisher (Case no. 2011-CP-10-7819)
88. Statement of Grounds by Appellant Lisa Fisher (Case no. 2011-CP-10-7821) filed on December 9, 2011
89. Statement of Grounds by Appellant Lisa Fisher (Case no. 2011-CP-10-8657) filed on December 9, 2011
90. Notice of Appearance filed on or about March 11, 2014 (Case no. 2011-CP-10-7819)
91. Notice of Appearance filed on or about March 20, 2014 (Case no. 2011-CP-10-7821)
92. Notice of Appearance filed on or about March 11, 2014 (Case no. 2011-CP-10-8657)
93. Notice of Appeal by Betty Fisher filed on or about September 19, 2014 (Case no. 2011-CP-10-7819)
94. Notice of Appeal by Lisa Fisher filed on or about September 19, 2014 (Case no. 2011-CP-10-7821)
95. Notice of Appeal by Lisa Fisher filed on or about September 19, 2014 (Case no. 2011-CP-10-8657)

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TRANSCRIPTS:

- 96. Probate Court Transcript for August 17, 2011
- 97. Appeals Hearing Transcript dated July 16, 2014

CERTIFICATE OF COUNSEL:

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

April 9, 2015

RESPECTFULLY SUBMITTED,

JOHN HUGHES COOPER, P.C.

By: 

JOHN HUGHES COOPER, ESQUIRE

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THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Appellate Case No. 2014-002020

Circuit Case No. 2011-CP-10-7819

BETTY FISHERAppellant

v.

BESSIE HUCKABEE.....Respondent

PROOF OF SERVICE

I certify that I have served the **Initial Brief of Appellant and Consolidated Designation of Matter to be Included in the Record of Appellants** upon Respondent Bessie Huckabee by depositing a copy of it in the United States Mail, postage prepaid, on April 9, 2015, addressed to her attorney of record Peter A. Kouten, Esquire, P.O. Box 340, Johns Island, SC 29457.

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April 9, 2015

RESPECTFULLY SUBMITTED,

JOHN HUGHES COOPER, P.C.

By:


JOHN HUGHES COOPER, ESQUIRE

Federal Court ID 298

South Carolina Bar 1387

State Bar of Georgia 185986

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ATTORNEYS FOR APPELLANT

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ADMIRALTY & MARITIME LAW & CIVIL LITIGATION



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John Townsend Cooper
jtc@jhcooper.com

April 9, 2015

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
Attn: Ms. Ella Calvert

Re: BETTY FISHER, Appellant v. BESSIE HUCKABEE, Respondent
Appellate Case No. 2014-002020

Dear Ella:

Enclosed for filing please find originals of Initial Brief of Appellant, Consolidated Designation of Matter to be Included in the Record of Appellants, and Proof of Service.

Also enclosed please find a copy of our filing for date stamping and return to us in the enclosed envelope.

Thank you for your assistance with this matter.

Best regards.

Very truly yours,

John Hughes Cooper

Enclosures: as stated

Cc: Peter A. Kouten, Esquire

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SC Court of Appeals

WE COVER THE WATERFRONT

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