

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHEROKEE COUNTY  
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

C/A No.: 2013-CP-11-0002  
Appellate Case No.: 2014-002467

**RECEIVED**  
MAY 21 2015  
SC Court of Appeals

Dealer Services Corporation.....Respondent,

v.

Total, Inc. d/b/a Gault's Used Cars d/b/a Gault's Auto Parts d/b/a Gault's Used Cars and Auto Parts d/b/a Gault's Used Cars and Motormaxx; Edward Keith Potter; Michael Wayne Gault; Christopher Drye d/b/a Drye's Auto Crushing; Ben D. Kochenower, CPA; Automotive Finance Corporation; Grandsouth Bank d/b/a CarBucks; Mason Motors, Inc. d/b/a Mason Ent.; American Community Bank, a Division of Yadkin Valley Bank and Trust Company; Quick Capital, LLC d/b/a Quick Capital; and Auto Bank Floorplan, LLC..... Defendants,

Of Whom Total, Inc. d/b/a Gault's Used Cars d/b/a Gault's Auto Parts d/b/a Gault's Used Cars and Auto Parts d/b/a Gault's Used Cars and Motormaxx; Edward Keith Potter; Michael Wayne Gault are the ..... Appellants.

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

Respondent designates the following material to be included in the Record on Appeal:

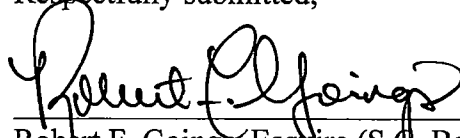
1. October 14, 2014 Order Grant Summary Judgment;
2. December 11, 2012 Bankruptcy Order;
3. October 13, 2012 Bankruptcy Order;
4. October 12, 2014 Hearing Transcript;
5. January 22, 2014 Transcript of Deposition of Michael Gault and Exhibits thereto;
6. January 22, 2014 Transcript of Deposition of Edward Keith Potter and Exhibits thereto;

7. March 28, 2014 Affidavit of Kathy Clark and Exhibits thereto;
8. Proposed Settlement Agreement; and
9. Demand Promissory Note and Security Agreement dated March 15, 2007.

I certify that no information is included in this Designation that is irrelevant.

Respectfully submitted,

By:



Robert F. Goings, Esquire (S.C. Bar # 74855)

Goings Law Firm, LLC

914 Richland Street, Suite A-101

Post Office Box 436 (29202)

Columbia, South Carolina 29201

Phone: (803) 350-9230

Fax: (877) 789-6340

rgoings@goingslawfirm.com

*Attorney For Respondent*

Columbia, South Carolina

May 18, 2015

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHEROKEE COUNTY  
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

C/A No.: 2013-CP-11-0002  
Appellate Case No.: 2014-002467

**RECEIVED**  
MAY 21 2015  
SC Court of Appeals

Dealer Services Corporation.....Respondent,

v.

Total, Inc. d/b/a Gault's Used Cars d/b/a Gault's Auto Parts d/b/a Gault's Used Cars and Auto Parts d/b/a Gault's Used Cars and Motormaxx; Edward Keith Potter; Michael Wayne Gault; Christopher Drye d/b/a Drye's Auto Crushing; Ben D. Kochenower, CPA; Automotive Finance Corporation; Grandsouth Bank d/b/a CarBucks; Mason Motors, Inc. d/b/a Mason Ent.; American Community Bank, a Division of Yadkin Valley Bank and Trust Company; Quick Capital, LLC d/b/a Quick Capital; and Auto Bank Floorplan, LLC.....Defendants,

Of Whom Total, Inc. d/b/a Gault's Used Cars d/b/a Gault's Auto Parts d/b/a Gault's Used Cars and Auto Parts d/b/a Gault's Used Cars and Motormaxx; Edward Keith Potter; Michael Wayne Gault are.....Appellants.

**PROOF OF SERVICE**

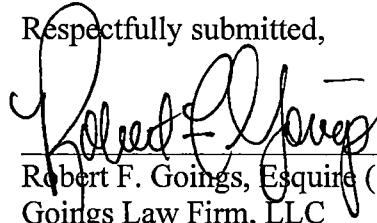
I certify that I have served Respondent's Designation of Matter to be Included in the Record on Appeal by mailing a copy of the same via United States Mail, on May 18, 2015, addressed to the following:

D. Alan Lazenby, Esquire  
Ginger D. Goforth, Esquire  
Lazenby Law Firm, LLC  
PO Box 6099  
Spartanburg, SC 29304

*Attorneys for Appellants*

Respectfully submitted,

By:



Robert F. Goings, Esquire (S.C. Bar # 74855)

Goings Law Firm, LLC

914 Richland Street, Suite A-101

Post Office Box 436 (29202)

Columbia, South Carolina 29201

Phone: (803) 350-9230

Fax: (877) 789-6340

rgoings@goingslawfirm.com

*Attorney For Respondent*

Columbia, South Carolina  
May 18, 2015