

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

J. Cordell Maddox, Jr., Circuit Court Judge

Case No. 2011-CP-37-279
Appellate Case 2014-001282

RECEIVED
MAY 29 2015
SC Court of Appeals

Mariam R. Noorai,

Appellant,

v.

School District of Pickens County,
School District of Oconee County,
and Gary Culler, Donald Boggs, Richard
Hudak, Ernestine Williams, Marilyn
Raines, and Dr. Kelly Pew, in their
individual capacities,

Respondents.

**RESPONDENTS SCHOOL DISTRICT OF PICKENS COUNTY,
GARY CULLER, DONALD BOGGS, RICHARD HUDAK, MARILYN RAINES
AND DR. KELLY PEW'S RETURN TO APPELLANT'S
MOTION TO SUPPLEMENT THE RECORD ON APPEAL INDEX**

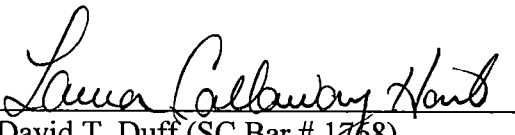
Appellant has moved to supplement the Record on Appeal by adding her deposition and the initial Summons and Complaint. Respondents School District of Pickens County, Gary Culler, Donald Boggs, Richard Hudak, Marilyn Raines, and Dr. Kelly Pew oppose Appellant's motion because Appellant's deposition in full was not submitted to the trial court for consideration on Respondents' motion for summary judgment and because the initial Complaint was superseded by the Second Amended Complaint which is a part of the Record on Appeal.

At the hearing on Respondents' motions for summary judgment, the granting of which is the subject of this appeal, the Respondents submitted excerpts of numerous depositions and

Appellant submitted her own affidavit. While the materials submitted to the trial court for consideration included many excerpts from Appellant's deposition, no party introduced the entire deposition of Appellant. Rule 210(c), SCACR, prohibits the inclusion in the Record on Appeal of "matter which was not presented to the lower court or tribunal." Accordingly, Respondents respectfully submit that Appellant's motion to supplement the Record on Appeal to include her deposition in full should be denied.

Appellant also moves to supplement the Record on Appeal to include her initial Summons and Complaint. However, Appellant's Second Amended Complaint is a part of the Record, and the parties raise no issue related to her initial Summons and Complaint. For these reasons, Respondents respectfully submit that Appellant's motion to supplement the Record on Appeal with her initial Summons and Complaint should be denied.

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May 29, 2015
Columbia, South Carolina

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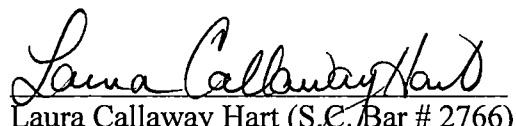
School District of Pickens County,
School District of Oconee County,
and Gary Culler, Donald Boggs, Richard
Hudak, Ernestine Williams, Marilyn
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PROOF OF SERVICE

I certify that I have served Respondents School District of Pickens County, Gary Culler, Donald Boggs, Richard Hudak, Marilyn Raines and Dr. Kelly Pew's Return to Appellant's Motion to Supplement the Record on Appeal Index on Mariam R. Noorai by depositing a copy of it in the United States Mail, postage prepaid, on February 6, 2015, addressed to her attorney of record, R. Mills Ariail, Jr., 11 North Irvine Street, Suite 11, Greenville, South Carolina 29601.

May 29, 2015



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(CONTINUED ON NEXT PAGE)

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