

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

JUL 17 2015

Honorable Alison Renee Lee, Circuit Court Judge

CC Court of Appeals

Appellate Case No.: 2015-000613

Jeffrey KennedyRespondent

v.

Richland County School District Two, Eric Barnes, and Chuck Earles..... Appellants.

APPELLANTS' DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

Pursuant to Rule 209, SCACR, Respondent Anderson School District Five has reviewed Appellants' Designation of Matter to be Included in the Record on Appeal and Respondent proposed the following to be included in the Record on Appeal:

- 1) Notice of Appeal of Circuit Court Order, filed March 13, 2015
- 2) Order Denying Defendants' Post-Trial Motions filed February 24, 2015
- 3) Defendants' Motion for Judgment Notwithstanding the Verdict or, in the Alternative, for New Trial Absolute, or in the Alternative, for New Trial *Nisi* Remittitur filed October 13, 2014
- 4) Memorandum of Law in Opposition to Defendants' Post-Trial Motions filed October 20, 2014
- 5) Form Order, Jury Verdict/Award filed October 10, 2014
- 6) Motion *in Limine* and Motion to exclude Testimony of Bill Simpson filed October 2, 2014

- 7) Defendants' Memorandum of Law Regarding Admissibility of Other Instances of Plaintiff's Misconduct filed October 2, 2014
- 8) Stipulation of Dismissal as to Defendants Katie Brochu, Roosevelt Garrick, and Traci Batchelder filed September 26, 2014
- 9) Complaint filed March 11, 2013
- 10) Defendants' Answer and Affirmative Defenses filed May 20, 2013
- 11) Plaintiff's Trial Exhibits 1, 3, 4, 5, 6, 7
- 12) Court's Trial Exhibit 2
- 13) Defendants' Trial Exhibits 1, 2, 9, 10
- 14) Excerpts from Transcript of Record:

pages:

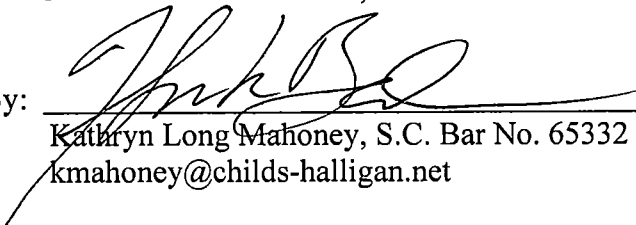
- 33-62 – Motion in *Limine* Argument
- 111-193 – Kennedy Direct, Ruling on Motion in *Limine*, Cross, Redirect
- 194-209 – Mitchell Direct, Cross
- 210-231 – Reid Direct, Cross
- 234-257 – Permenter Direct, Cross, Redirect
- 258-379 – Barnes Direct, Cross, Redirect
- 380-543 – Earles Direct, Cross, Redirect, Cross
- 544-575 – Directed Verdict Arguments and Rulings
- 575-593 – Hunter Direct
- 769-789 – Batchelder Direct
- 824-850 – Garrick Direct
- 889-915 – Kennedy Rebuttal Direct and Cross
- 916-950 – Directed Verdict Arguments and Rulings
- 1014-1015 – Charge on Qualified Privilege
- 1032-1035 – Jury Note and Court Ruling

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

Respectfully submitted,

CHILDS & HALLIGAN, P.A.

By: _____


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Attorneys for Appellants

July 17, 2015

Columbia, South Carolina

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**APPEAL FROM RICHLAND COUNTY
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Appellate Case No.: 2015-000613

Richland County School District Two, Eric Barnes, and Chuck Earles Appellants,

v.

Jeffrey Kennedy Respondent.

PROOF OF SERVICE

I certify that I have served the **INITIAL BRIEF OF APPELLANTS AND DESIGNATION OF MATTER** on counsel for Respondent, by depositing a copy of it in the U.S. Mail, postage prepaid, on July 17, 2015, addressed to T. Jeff Goodwyn, Esq. and Rachel G. Peavy, Esq., Goodwyn Law Firm, 2519 Devine Street, Suite A, Columbia, SC 29205.

Respectfully submitted,

CHILDS & HALLIGAN, P.A.

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July 17, 2015

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VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

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Re: Jeffrey Kennedy v. Richland School District Two, Eric Barnes and Chuck Earles
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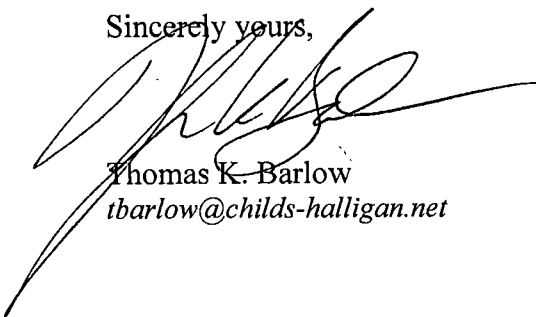
Dear Ms. Kitchings:

Enclosed for filing please find an original and one copy of each of the following:

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

Please return the extra file-stamped copies of these filings to our office via our courier.
Thank you for your attention to this matter.

Sincerely yours,



Thomas K. Barlow
tbarlow@childs-halligan.net

/lmc
Enclosures

c: T. Jeff Goodwyn, Jr., Esq.
Rachel G. Peavy, Esq.
Kathryn Long Mahoney, Esq.