

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable DeAndrea Gist Benjamin, Circuit Court Judge

RECEIVED

JUL 27 2015

SC Court of Appeals

Case No. 2001-CP-40-4203R
Appellate Case No. 2014-001826

EDWIN M. SMITH, JR. APPELLANT,

vs.

DAVID FEDOR, RESPONDENT.

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

Along with items duly designated by Respondent, Appellant proposes the following to be included in the Record on Appeal (all of which were included in Appellant's prior designation dated November 19, 2014):

1. Confidential Settlement Agreement dated September 17, 2002;
2. Confession of Judgment dated September 26, 2002;
3. Defendant's 60(b) Motion;
4. Affidavit of James R. Gilreath;
5. Plaintiff's Memorandum in Opposition to Defendant's Motion to Vacate Judgment;
6. Affidavit of David A. Fedor;
7. Transcript of Hearing August 26, 2013;
8. Plaintiff's Memorandum in Support of Entering Settlement Agreement into Evidence dated September 25, 2013;
9. Order of Lower Court filed October 31, 2013;
10. Plaintiff's first Motion for Reconsideration dated November 8, 2013;
11. Form 4 Order of July 22, 2014;

12. Plaintiff's second Motion for Reconsideration filed August 4, 2014 with cover letter of Edward L. Grimsley dated November 8, 2013 from Exhibit A, Exhibit D (form 4 Order of November 4, 2013) and Certificate of Service included. [Omitted are the remainder of Exhibit A (Plaintiff's first Motion for Reconsideration), Exhibit B (Order of October 31, 2013), and Exhibit C (October 31, 2013 e-mails to Lower Court)];
13. Notice of Appeal August 21, 2014
14. Proof of Service of Notice of Appeal to Leo A. Dryer, Jr. (attorney for Respondent) August 21, 2014.

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

THE GILREATH LAW FIRM, P.A.

By: William M. Hogan
William M. Hogan (S.C. Bar #65272)
James R. Gilreath (S.C. Bar #02133)
110 Lavinia Avenue (zip 29601)
P.O. Box 2147
Greenville, SC 29602
Telephone: (864) 242-4727
Fax: (864) 232-4395
bhogan@gilreathlaw.com
jim@gilreathlaw.com

ATTORNEYS FOR APPELLANT

July 23, 2015
Greenville, South Carolina.

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

JUL 27 2015

SC Court of Appeals

The Honorable DeAndrea Gist Benjamin, Circuit Court Judge

Case No. 2001-CP-40-4203R
Appellate Case No. 2014-001826

EDWIN M. SMITH, JR.APPELLANT,

vs.

DAVID FEDOR,RESPONDENT.

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the Appellant in the foregoing matter with a copy of the foregoing **DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** by electronic mail and also depositing same in the United States Mail with adequate postage affixed thereon to ensure delivery, addressed as follows:

Katherine Carruth Goode, Esquire
229 South Congress Street
P.O. Box 1175
Winnsboro, South Carolina 29180

William M. Hogan
William M. Hogan (S.C. Bar #65272)
James R. Gilreath (S.C. Bar #02133)
THE GILREATH LAW FIRM, P.A.
110 Lavinia Avenue (zip 29601)
P.O. Box 2147
Greenville, SC 29602
Telephone: (864) 242-4727
Fax: (864) 232-4395
bhogan@gilreathlaw.com
jim@gilreathlaw.com

ATTORNEYS FOR APPELLANT

July 23, 2015
Greenville, South Carolina.

THE GILREATH LAW FIRM, P.A.

JAMES R. GILREATH*
jim@gilreathlaw.com

*ALSO ADMITTED TO PRACTICE IN NC

WILLIAM M. HOGAN
bhogan@gilreathlaw.com

110 LAVINIA AVENUE (29601)
P.O. BOX 2147
GREENVILLE, SC 29602
www.gilreathlaw.com

TELEPHONE (864) 242-4727
FACSIMILE (864) 232-4395

July 23, 2015

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

RECEIVED

JUL 27 2015

SC Court of Appeals

RE: *Edwin M. Smith, Jr. v. David Fedor*
Appellate Case No. 2014-001826


Dear Ms. Kitchings:

Enclosed please find the original unbound and one copy of the Appellant's Initial Reply Brief and Certificate of Service. Also enclosed are the original unbound and one copy of the Appellant's Designation of Matter to be included in the Record on Appeal and Certificate of Service. I would appreciate it if you would return a file stamped copy of each of the documents in the self-addressed, stamped envelope provided.

By copy of this letter to Respondent's counsel, I am also serving her with one bound copy of the Appellant's Initial Reply Brief with Certificate of Service and also the Appellant's Designation of Matter to be included in the Record on Appeal with Certificate of Service.

Thank you for your assistance in this matter. If you have any questions or need anything further, please let me know.

Sincerely,



William M. Hogan

WMH/kmk

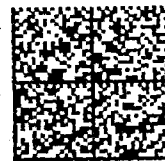
Enclosures

cc: Katherine Carruth Goode, Esquire (w/enclosures-via electronic mail and US Mail)

GILREATH LAW FIRM, P.A.

P. O. BOX 2147

COLUMBIA, SOUTH CAROLINA 29602



UNITED STATES
PITNEY BOWES
02 1P
\$ 002.74⁰
0004682737 JUL 23 2015
MAILED FROM ZIP CODE 29601

FIRST CLASS MAIL

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

RECEIVED

JUL 27 2015

SC Court of Appeals