

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Frank R. Addy, Jr., Circuit Court Judge

Case No. 2012-CP-32-3428

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JUL 30 2015
SC Court of Appeals

James Spencer, individually and on
behalf of the Estate of Doris Holt and on
behalf of Southern Holdings, Inc.; and
Irene Santacroce, Plaintiffs,

of whom James Spencer is the,

Appellant,

v.

John R. Rakowsky, Adrian L. Falgione,
and the Law Offices of Adrian Falgione,
LLC, Defendants,

of whom John R. Rakowsky
and Adrian L. Falgione are the,

Respondents.

**RESPONDENT JOHN R. RAKOWSKY'S DESIGNATION OF MATTERS
TO BE INCLUDED IN THE RECORD ON APPEAL**

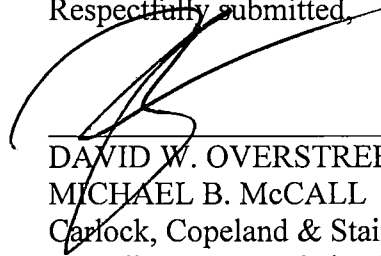
Respondent John R. Rakowsky proposes the following to be included in the Record on
Appeal:

1. Order filed December 6, 2013 (denying Motion to Reconsider)
2. Order filed November 1, 2013 (denying Motion to Disqualify)
3. Order filed August 23, 2013 (granting Motion to Dismiss)

4. Order filed June 27, 2013 (assigning to Judge Addy)
5. Order filed May 13, 2013 (dismissing Santacroce, scheduling hearings)
6. Order filed October 1, 2012 (denying Motion to Reconsider Venue Order)
7. Order filed August 15, 2012 (granting Motion to Change Venue)
8. Order filed June 28, 2012 (denying Santacroce Motion to Disqualify, etc.)
9. Order filed June 28, 2012 (denying Requests for Default)
10. Complaint filed August 15, 2011
11. Rakowsky's Motion to Dismiss filed November 3, 2011
12. Falgione's Motion to Dismiss filed November 4, 2011
13. Spencer's Motion to Disqualify filed March 27, 2012
14. Falgione's Motion to Change Venue filed May 17, 2012
15. Rakowsky's Motion to Change Venue filed June 4, 2012
16. Pltf's Motion to Reconsider Dismissal filed September 9, 2013
17. Transcript of June 5, 2013 Hearing
18. Transcript of May 27, 2012 Status Conference
19. Affidavit of Rakowsky dated January 25, 2012
20. Affidavit of Rakowsky dated January 26, 2012
21. Letter of Judge Barber, July 31, 2012
22. Court Exhibits 1 and 2 at June 5, 2013 Hearing

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

Respectfully submitted,



DAVID W. OVERSTREET
MICHAEL B. McCALL
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Attorneys for Respondent John R. Rakowsky

July 27, 2015

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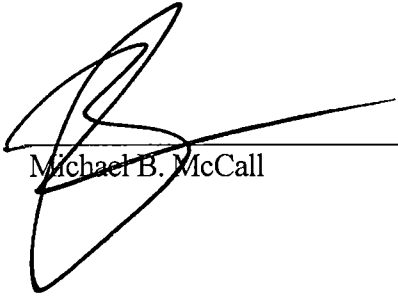
PROOF OF SERVICE

I certify that on the date indicated below, I served *Initial Brief of Respondent John R. Rakowsky*, as well as *Respondent's Designation of Matters to be Included in the Record on Appeal* upon *pro se* parties and counsel of record by depositing a copy of it in the United States Mail, postage prepaid, addressed as follows:

James Spencer
7001 Saint Andrews Road
Suite 183
Columbia, SC 29212

Warren C. Powell, Jr.,
Benjamin C. Bruner, Esq.
Bruner, Powell, Wall & Mullins, LLC
P.O. Box 61110
Columbia, SC 29260-1110

This 27th day of July, 2015.



Michael B. McCall

LAW OFFICES

CARLOCK, COPELAND & STAIR, LLP

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REPLY TO SC OFFICE

July 27, 2015

Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
P.O. Box 11629
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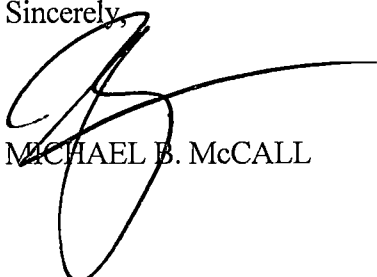
Re: James Spencer v. John R. Rakowsky, *et al.*
Case No.: 2014-000091
CCS File No.: 2283-35025

Dear Ms. Kitchings:

Enclosed for filing please find Respondent John R. Rakowsky's Initial Brief, Designation of Matters to be Included in the Record on Appeal, and Proof of Service of the same on all parties.

By copy of this correspondence, I have served the same upon all *pro se* parties and counsel of record. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,


MICHAEL B. McCALL

MBM:tmm

Enclosures

cc: James Spencer
Benjamin C. Bruner, Esq.
Warren C. Powell, Esq.

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