

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
Doyet A. Early III, Circuit Court Judge
Case No. 2008-CP-40-6656
Appellate Case No. 2014-002029

RECEIVED

JAN 04 2016

SC Court of Appeals

John R. Rakowsky, Respondent

v.

Law Offices of Adrian L. Falgione, LLC, James Spencer,
Estate of Doris Holt, Nick Williamson on behalf of RSC,
Irene Santacroce, Rodney Keith Lail, Marguerite Stephens
Ricky Stephens, Michael Hartness, Horry County, SC,
Eugene Chewing, and Glenn W. Harrison,
Defendants,

Of whom James Spencer, Irene Santacroce, Rodney Keith
Lail, and the Estate of Doris Holt are the
Appellants.

RESPONDENT'S DESIGNATIONS

Pursuant to Rule 209, SCACR, in addition to those matters as have been designated by Appellant¹, Respondents designate the following additional matter. Respondents reserve the right to designate additional matters of record in response to the Initial Appellant's Reply Brief. Unless otherwise stated, all items designated exclude cover sheets, certificates or proof of service and exhibits to designated items.

1. Form Order of December 17, 2013 signed by Judge Barber, Case No. 2008-CP-40-6656;

¹ Appellant's designations Items 1 through 4 are insufficient to precisely identify the documents which appellants intend to include in the Record on Appeal. Respondent reserves the right to move to sotrike from the Record on Appeal any item that was not properly identified in Appellant's designations.

2. Order of Circuit Court Judge Early dated January 10, 2014, same case number.
3. Order Granting Partial Relief filed by Judge Early on June 27, 2014 (order dated of June 23, 2014;
4. Supplemental Order of Judge Early dated September 9, 2014;
5. Form 4 Order of Judge Early dated September 10, 2014
6. Form 4 Order of Judge Early (re: Omnibus Emergency Motions) filed September 11, 2014
7. Final Order Granting Interpleader and Related Relief by Judge Early filed December 23, 2014 with Form 4 Order recorded December 30, 2014.
8. Certain Defendants' response to Plaintiff's Second Amended Complaint for Interpleader filed January 18, 2011;
9. Reply to Counterclaims to Second Amended Complaint for Interpleader, filed February 18, 2011.
10. Claim against Interpleaded Funds filed by Rakowsky December 12, 2013, with exhibits.
11. Motion for Equitable Indemnification dated July 24, 2014 filed by Rakowsky, with exhibits.
12. Affidavit of John Rakowsky dated May 16, 2014, with exhibits.
13. Affidavit of Mara Ballard dated April 17, 2014 with exhibits.
14. Email from Aliecia Bores, law clerk of Doyet A. Early, dated September 12, 2014 at 1:16 pm to multiple recipients.
15. Email from Aliecia Bores, law clerk of Doyet A. Early dated October 4, 2012 at 11:42 am to multiple recipients.
16. Email from James B. Spencner to Aliecia Bores, law clerk of Doyet A. Early dated October 21, 2014 at 3:57 pm, copied to multiple individuals.

17. Letter from Desa Ballard to Honorable Doyet A. Early III dated October 23, 2014 enclosing proposed order (2 pages), without attachments.
18. Email from Michael Sribnick dated October 24, 2014 at 11:13 am to multiple individuals, subject matter: recently proposed order by Desa Ballard, Esq., copied to multiple individuals including Judge Manning.
19. Letter and check from Desa Ballard to James B. Spencer dated August 8, 2014.

The undersigned certifies that the designations of Respondent do not contain any matter that is irrelevant to the appeal. Certain items designated are not a part of the trial court's record below, as referenced in Respondent's Initial Brief, and are subject to being withdrawn upon objection.


Harvey M. Watson III
Desa Ballard
BALLARD & WATSON
Post Office Box 6338
West Columbia, South Carolina 29171
Telephone 803.796.9299
Facsimile 803.796.1066
harvey@desaballard.com
desab@desaballard.com

ATTORNEYS FOR RESPONDENT

December 30, 2015

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
Doyet A. Early III, Circuit Court Judge
Case No. 2008-CP-40-6656
Appellate Case No. 2014-002029

RECEIVED
JAN 04 2016
SC Court of Appeals

John R. Rakowsky, Respondent

v.

Law Offices of Adrian L. Falgione, LLC, James Spencer,
Estate of Doris Holt, Nick Williams on behalf of RSC,
Irene Santacroce, Rodney Keith Lail, Marguerite Stephens
Ricky Stephens, Michael Hartness, Horry County, SC,
Eugene Chewing, and Glenn W. Harrison,
Defendants,

Of whom James Spencer, Irene Santacroce, Rodney Keith
Lail, and the Estate of Doris Holt are the
Appellants.

CERTIFICATE OF SERVICE

I, Beth Cogan, an employee with Ballard & Watson, Attorneys at Law, do hereby certify that on December 30, 2015, I served a copy of the **Respondent's Initial Brief** and **Respondent's Designation of Matter** in the above-captioned case on the following individual by United States Mail, with sufficient first-class postage affixed, addressed as follows:

James Spencer
7001 Saint Andrews Road
P.O. Box 183
Columbia, South Carolina 29212

Michael Sribnick, MD, Esquire
3 Kenilworth Avenue
Charleston, South Carolina 29403


Beth Cogan, Paralegal

December 30, 2015
West Columbia, South Carolina



Ballard & Watson
Attorneys at Law
PERSISTENT. UNWAVERING.

Desa Ballard
Harvey M. Watson III

Post Office Box 6338 | West Columbia, SC 29171
226 State Street | West Columbia, SC 29169
ph 803.796.9299 | fx 803.796.1066 | desaballard.com

December 30, 2015

Via U.S. Mail
Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED

JAN 04 2016

SC Court of Appeals

Re: *John Rakowsky v. Adrian Falgione, et al.*
Appellate Case No: 2014-002029

Dear Ms. Kitchings:

Please find enclosed for filing an original and one (2) copies of the **Respondent's Initial Brief** in the above-referenced matter. Also enclosed are an original and one copy of **Respondent's Designation of Matter** pursuant to Rule 209, SCACR. After both have been filed, please return the clocked copies to our office in the enclosed, self-addressed, stamped envelope.

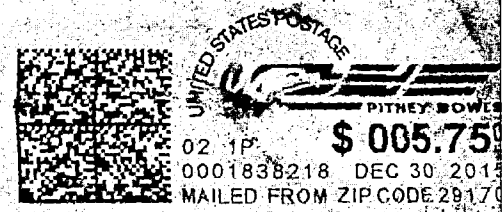
By copy of this letter, I am serving the *pro se* Defendant and counsel of record. Please do not hesitate to contact our office if you should have any questions. With warm personal regards, I am,

Sincerely yours,

Desa Ballard

Desa Ballard
desab@desaballard.com

cc: *Via U.S. Mail and Email*
Michael Sribnick, Esq.
James Spencer, *pro se*



Law Offices of Desa Ballard

226 State Street
West Columbia, SC 29169

To:

Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED

JAN 04 2016

SC Court of Appeals