

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Perry M. Buckner, Circuit Court Judge

Circuit Court Case No. 2013-CP-07-1231

Appellate Case No. 2015-001988

RECEIVED

JAN 14 2016

SC Court of Appeals

Mark Heil and Elizabeth Heil, Appellants,

v.

**Stewart Hines, Christina
Hines, and Sam Imler d/b/a
Sam's Tree Service,** Defendants,

Of whom **Stewart Hines and
Christina Hines** are the Respondents.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

Appellants proposes the following be included in the Record on Appeal, inclusive of the matter designated by Respondents:

1. Order Granting Defendants' Motion for Summary Judgment;
2. Order Denying Motion to Alter or Amend;
3. Amended Complaint;
4. Answer and Motion to Dismiss to Plaintiffs' Amended Complaint;
5. Deposition Transcript of Sam Imler pp. 1-3, 7-8, 12-21, 24, 27-28, 31-32, 48;
6. Deposition Transcript of Elizabeth Heil pp. 1-2, 5-6, 11-13, 19-20, 29-30, 44, 65-71;
7. Deposition Transcript of Mark Heil pp. 1-2, 14;

8. Deposition Transcript of Stewart Hines pp. 1-4, 14, 37-48, 57, & Ex. 14;
9. Defendant Stewart Hines and Christina Hines' Memorandum in Support of Motion for Summary Judgment and all Exhibits;
10. Plaintiffs' Memorandum in Opposition to Hines' Motion for Summary Judgment and all Exhibits;
11. Motion to Alter or Amend;
12. Defendant Stewart Hines and Christina Hines' Memo in Opposition to Plaintiffs' Motion to Alter or Amend;
13. Transcript of Record pp. 1-12; 15-31.

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

THE CAPELL LAW FIRM, LLC



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Attorneys for Appellants Mark and Elizabeth Heil

January 12, 2016
Hilton Head Island, SC

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PROOF OF SERVICE

I certify that I have served the **Designation of Matter to be Included in the Record on Appeal** on Stewart Hines and Christina Hines by depositing a copy of it in the United States Mail, postage prepaid, on January 11, 2015, addressed to their attorney of record, Brian McDaniel, P.O. Box 2085, Beaufort, SC 29901.

January 12, 2015



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January 12, 2016

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SC Court of Appeals

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

**Re: Mark and Elizabeth Heil, Appellants v. Stewart and Christina
Hines, Respondents**
Appellate Case No. 2015-001988

Dear Ms. Kitchings:

Enclosed for filing in the above case are as follows:

- 1) An original and one copy of the Initial Reply Brief of Appellants;
- 2) An original and one copy of the Proof of Service of the Initial Reply Brief of Appellants to the respondents;
- 3) An original and one copy of the Designation of Matter to be Included in the Record on Appeal; and
- 4) An original and one copy of the Proof of Service of the Designation of Matter to be Included in the Record on Appeal to the respondents.

Please file all four of originals and return one clocked copy of each to me in the self-addressed, stamped return envelope also enclosed. Thank you for your attention to this matter.

Sincerely yours,

THE CAPELL LAW FIRM, LLC



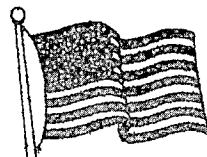
Charles W. Thomson, Esq.

Enclosures

cc: Brian McDaniel, Attorney for Respondents

The Capell Law Firm, LLC

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South Carolina • 29938



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