

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

The Honorable Marvin H. Dukes, III
Beaufort County
Trial Court Case No. 2011-CP-07-128 and 2011-CP-07-129

RECEIVED

JAN 21 2016
SC Court of Appeals

Case No. 2015-002156

First Citizens Bank and Trust Company, Inc.,

Respondent/Appellant,

v.

Blue Ox, LLC and J. Chris Lindgren,

Defendants,

Of whom J. Chris Lindgren is the

Appellant/Respondent.

DESIGNATION OF MATTER

Appellant/Respondent proposes the following be included in the Record on Appeal:

1. Confession of Judgment of January 6, 2011 (2011-CP-07-128);
2. Confession of Judgment of January 6, 2011 (2011-CP-07-129);
3. Verified Petition for Supplemental Proceedings of July 11, 2014 (2011-CP-07-128);
4. Verified Petition for Supplemental Proceedings of July 11, 2014 (2011-CP-07-129);
5. Order of Reference of July 11, 2014 (2011-CP-07-128);
6. Order of Reference of July 11, 2014 (2011-CP-07-129);
7. Rule to Show Cause of July 14, 2014 (2011-CP-07-128);

8. Rule to Show Cause of July 14, 2014 ((2011-CP-07-129);
9. Transcript of September 2, 2014 Supplemental Proceedings Hearing;
10. Memorandum in Support of Motion to Set Aside and Execute of Voluntary Post-Judgment Contributions by J. Chris Lindgren To 401(k), IRA Accounts and an Education Account of November 3, 2014;
11. Memorandum of J. Chris Lindgren in Opposition to Plaintiff's Motion to Set Aside and Execute of November 10, 2014;
12. Affidavit of J. Christopher Lindgren dated October 28, 2014
13. Email from Judge Dukes to counsel on January 16, 2014
14. Email from Lindgren's counsel to Judge Dukes on January 19, 2014, w/ attachment
15. Amended Memorandum of J. Christopher Lindgren in Opposition to Plaintiff's Motion to Set Aside and Execute of January 19, 2014;
16. Email from Bank's counsel to Judge Dukes on January 19, 2014
17. Order of June 11, 2015;
18. J. Chris Lindgren's Motion to Reconsider and for Stay of Execution of Judgment of June 22, 2015;
19. Transcript of July 8, 2015 hearing on motion to reconsider
20. Email from Bank's counsel to Judge Dukes on July 15, 2015 w/o attachments
21. Email from Lindgren's counsel to Judge Dukes on July 16, 2015 w/o attachments
22. First Citizens Bank and Trust Company, Inc.'s Reply Memorandum in Opposition to J. Chris Lindgren's Motion for Reconsideration of July 20, 2015;
23. Order Denying J. Chris Lindgren's Motion to Reconsider and for Stay of Execution of

- October 7, 2015 (2011-CP-07-128);
24. Order Denying J. Chris Lindgren's Motion to Reconsider and for Stay of Execution of
October 7, 2015 (2011-CP-07-129); and
25. Consent order for stay of execution November 6, 2015

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



Keating L. Simons, III
SIMONS & DEAN
147 Wappoo Creek Drive, Suite 604
Charleston, SC 29412

January 19, 2016

Attorneys for Appellant/Respondent

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Of whom J. Chris Lindgren is the

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PROOF OF SERVICE

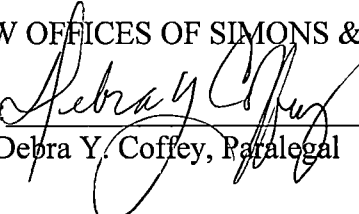
I, Debra Y. Coffey, a paralegal with the Law Offices of Simons & Dean, do hereby certify that I have served counsel in this action with a copy of the foregoing Designation of Matter of Appellant/Respondent to the Respondent/Appellant upon the below named by mailing a copy of same via U.S. Mail, postage prepaid, and properly addressed as follows:

Joey Randell Floyd, Esquire
P.O. Box 61110
Columbia, SC 29260

This 19th day of January, 2016.

LAW OFFICES OF SIMONS & DEAN

BY


Debra Y. Coffey, Paralegal

SIMONS & DEAN

ATTORNEYS AT LAW

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January 19, 2016

JAN 21 2016

SC Court of Appeals

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

RE: First Citizens Bank and Trust Company, Inc. v. Blue Ox, LLC and J. Chris Lindgren, Defendants of Whom J. Chris Lindgren is the Appellant/Respondent
Civil Action Nos.: 2011-CP-07-128 and 2011-CP-07-129
Appellate Case No. 2015-002156

Dear Ms. Kitchings:

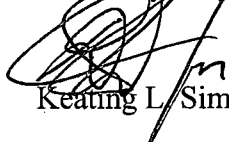
In connection with the above referenced, please find enclosed the original and one copy each of the Initial Brief of Appellant/Respondent and Proof of Service.

I also enclose herewith the original and one copy each of the Appellant/Respondent's Designation of Matter and Proof of Service of Appellant/Respondent's Designation of Matter.

Upon filing the above, please return a clocked-in copy of each to me in the self-addressed, stamped envelope included herein. By copy of this letter, I am serving Respondent/Appellant's counsel with copies of the aforementioned Initial Brief of Appellant/Respondent, Appellant/Respondent's Designation of Matter and Proofs of Service.

With best regards, I am

Your very truly,


Keating L. Simons, III

KLS/dc

Enclosures

cc: Joey Randell Floyd, Esquire (w/enclosures)



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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
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