

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

C.A. No.: 2013-CP-10-1400

Robert J. Burke.....Respondent,

v.

Republic Parking System, Inc. ....Appellant.

**DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD OF  
APPEAL OF RESPONDENT ROBERT J.  
BURKE**

Respondent Robert J. Burke ("Burke") proposes the following matter to be included in the Record on Appeal:

**Orders:**

1. Judgement with attached verdict forms and Form 4 Orders
2. Order denying Republic's Post-Trial Motions
3. Order of December 18, 2013 granting Plaintiff leave to Amend

**Pleadings:**

1. Summons and Complaint
2. First Amended Summons and Complaint
3. Dismissal of Defendant Melton
4. Answer and 3<sup>rd</sup> Party Complaint of Indigo
5. Second Amended Summons and Complaint
6. Answers of Defendant Republic Parking System, Inc. ("Republic")
7. Republic Trial Brief
8. Stipulation of Dismissal of Parties
9. Motion to Dismiss Parties
10. Motion to Strike Dismissal of Parties
11. Motion to Bifurcate trial
12. Republic's Requested Verdict forms
13. Republic's Requests to Charge
14. Burke's Requests to Charge
15. Republic's Motions for Directed Verdict
16. Republic's Post Trial Motion for JNOV and a new trial, and supporting memorandum
17. Burke's Reply Memorandum to Republic's Post Trial Motion for JNOV and New Trial
18. Plaintiff and Defendant's Motions in Limine
19. Trial Court's written charges for Phase one and Two
20. Scheduling Order entered August 13, 2014

**Transcripts:**

1. Trial Transcript of December 15, 2014 - December 19, 2014: pp. 36-42, 43-49, 58-70, 72-74, 102, 105-107, 109-110, 109-115, 117-128, 134-135, 144-146, 148-152, 171-181, 193-202, 207-210, 226, 233, 236, 249-250, 259-260, 264-265, 272-280, 333-344, 346, 362, 365-371, 380-381, 392, 411-416, 432-434, 436, 441-444, 448-453, 469, 471-474,

539-577, 631-644, 647-648, 669-703, 744-755, 760-804, 806-809, 812, 814-816, 818-819, 825-826, 828-831, 838-866, 871-891, 898, 900-901, 942-976

2. Deposition of Skelton: pp. 6, 17, 25, 38-39, 44-48, 56, 69-70, 72, 78, 92-93, 193-202, 233 (redacting all other portions not read)
3. Deposition of Sakran: pp. 9-11, 15, 18-15, 26-27
4. Post-Trial Transcript January 29, 2015: pp. 2-24

**Exhibits:**

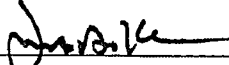
1. Plaintiff's Trial Exhibits 1-19
2. Defendant's Trial Exhibits 27, 27A, 28, 29, 30, 31, 32, 33, 34, 35
3. Non-Redacted Copy of Plaintiff Exhibit 7 (considered by trial court)
4. Court's Exhibits 2, 7, 12A, 12B, 12C, 12D, 13, 15

**Other Materials and Documents:**

1. City of Charleston ("City") Expert Designation of May, 1 2014
2. Burke's Supplemental Discovery Response dated December 2, 2013
3. Redacted Skelton Deposition read to jury
4. Burke's Supplemental Answers to Interrogatories dated December 2, 2013

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

McCULLOUGH KHAN, LLC

  
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**ATTORNEYS FOR ROBERT J. BURKE**

November 25<sup>th</sup>, 2015



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February 9, 2016

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FEB 12 2016

SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals Clerk  
1220 Senate Street  
Columbia, SC 29201

**Re: *Robert J. Burke and Jane B. Burke v. Republic Parking Systems, Inc.***  
**Civil Action No.: 2013-CP-10-1400**  
**Appellate Case No.: 2015-000269**

Dear Ms. Kitchings:

I hope this letter finds you well. The Court, per the Order filed on December 31, 2015, denied Respondent's Motion to exceed the page limitation and gave Respondent thirty days to serve and file an amended initial brief that does not exceed fifty pages. On January 29, 2016 Respondent sent his Amended Initial Brief and it was filed on February 1, 2016. However, Respondent inadvertently did not include the Designation of Matter to be Included in the Record on Appeal as he is resting on the previously submitted designation of matter (which is enclosed for your reference).

By copy of this letter to counsel for the Appellant, I am notifying them of the same. Thanks in advance for your assistance and please do not hesitate to contact me if you have any questions or need anything further. With kind regards, I remain

Sincerely yours,

McCULLOUGH KHAN, LLC

Jamie A. Khan

JAK/kbn

Enclosure

cc: Sarah P. Spruill, Esq.

**MK** McCULLOUGH ■ KHAN, LLC  
ATTORNEYS AT LAW

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**SC Court of Appeals**

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals Clerk  
1220 Senate Street  
Columbia, SC 29201



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