

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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APPEAL FROM BEAUFORT COUNTY
Court Of Common Pleas

FEB 18 2016

The Honorable Marvin H. Dukes, Master-in-Equity SC Court of Appeals

Case No.: 2011-CP-07-128 and 2011-CP-07-129

Appellate 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.....Appellant/Respondent.

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

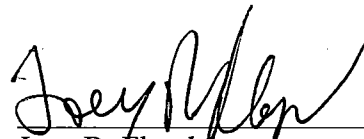
The Respondent/Appellant, First Citizens Bank and Trust Company, Inc., proposes the following be included in the Record on Appeal:

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. Plaintiff's 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. Amended Memorandum of J. Christopher Lindgren in Opposition to Plaintiff's Motion to Set Aside and Execute of January 19, 2014;
13. Order of June 11, 2015;
14. J. Chris Lindgren's Motion to Reconsider and for Stay of Execution of Judgment of June 22, 2015;
15. Transcript of July 8, 2015 Motion to Reconsider and for Stay of Execution Hearing;
16. First Citizens Bank and Trust Company, Inc.'s Reply Memorandum in Opposition to J. Chris Lindgren's Motion for Reconsideration of July 20, 2015;
17. Order Denying J. Chris Lindgren's Motion to Reconsider and for Stay of Execution of October 7, 2015 (2011-CP-07-128);
18. Order Denying J. Chris Lindgren's Motion to Reconsider and for Stay of Execution of October 7, 2015 (2011-CP-07-129);

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

February 13, 2016



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February 18, 2016

Via Hand Delivery

The Honorable Jenny Abbott Kitchings
Clerk of Court
The South Carolina Court of Appeals
P.O. 11629
Columbia, SC 29211

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SC Court of Appeals

**Re: First Citizens Bank and Trust Company, Inc. v. Blue Ox, LLC, and J. Chris Lindgren
Appellate Case No.: 2015-002156**

Dear Ms. Kitchings:

Enclosed herewith you will find an original and two copies of Respondent-Appellant, First Citizens Bank and Trust Company's *Respondent's Initial Brief of Respondent-Appellant* and Respondent-Appellant's *Designation of Matter to be Included in the Record on Appeal* in the above-referenced matter. In addition, you will find a certificate of service evidencing service of both on Counsel for the Appellant-Respondent. I kindly ask that you file the originals in accordance with your procedures and that the "filed" copies be returned to my runner who will be waiting. Thank you for your assistance in this matter.

With my kindest regards, I am,

Sincerely,



Joey R. Floyd

jrf:rco
Enclosures
cc: Keating L. Simons III, Esquire

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First Citizens Bank and Trust Company, Inc.Respondent/Appellant,

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Of Whom J. Chris Lindgren is the Appellant/ Respondent.


CERTIFICATE OF SERVICE

I, Rita DeCarlis, with the law firm of Bruner, Powell, Wall & Mullins, LLC, Attorneys for the Respondent-Appellant, do hereby certify that on this 18th day of February, 2016, I served Respondent-Appellant, First Citizens Bank & Trust Company's, **Respondent's Initial Brief of Respondent-Appellant and Designation of Matter to be Included in the Record on Appeal** upon counsel for the Appellant-Respondent by depositing a copy of same in the U.S. Mail, first class, postage prepaid, addressed as follows:

VIA U.S. Mail

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

February 18, 2016
Columbia, SC


Rita DeCarlis