

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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JUN 29 2016

SC Court of Appeals

APPEAL FROM GREENVILLE COUNTY
COURT OF COMMON PLEAS

PERRY H. GRAVELY, CIRCUIT COURT JUDGE

CASE NO.: 2016-000536

Mark Collins Respondent,

v.

Lauren Murphy as Statutory Beneficiary, Appellant.

RESPONDENT'S DESIGNATION OF MATTER

COMES NOW Respondent, Mark Collins, who by and through undersigned counsel, hereby submits his DESIGNATION OF MATTER, pursuant to RULES 208 AND 209 SCACR, setting forth the documents to be included in the RECORD ON APPEAL as follows:

1. Death Certificate for Tynslee Elizabeth Fields.
2. Greenville County Probate Court Certificate of Appointment: Lauren Murphy as the Personal Representative for the Estate of Tynslee Elizabeth Fields
3. Form 300 PC filed by Lauren Murphy in the Greenville County Probate Court.
4. Greenville County Court of Common Pleas February 24, 2014 Order for Approval of Settlement as to Defendant Mercy Obstetrics & Gynecology, P.A., Ragesh Pandya, M.D. Only, and the Petition for Approval of Settlement as to Defendants Mercy Obstetrics & Gynecology, P.A., Ragesh Pandya, M.D entered in the matter of *Lauren Murphy, individually, and as Personal Representative of the Estate of Tynslee Fields vs. Bon Secours Health System, Inc., et. al.*, Case No. 2013-CP-23-04186.
5. Notice of Motion and Motion to Stay Disbursement of Estate Assets/Funds & to Extend Deadline for Parties to Either Waive or Post Bond filed on June 24, 2014 in the Greenville County Probate Court in the matter of the *Estate of Tynslee Elizabeth Fields*, Case No.

2012-ES-23-01718.

6. Return to Respondents' Motion to Stay Disbursement of Estate Assets/Funds & to Extend Deadline filed on or about June 27, 2014 in the Greenville County Probate Court in the matter of the *Estate of Tynslee Elizabeth Fields*, Case No. 2012-ES-23-01718.
7. Summons and Petition to Deny Respondent Wrongful Death Proceeds filed on July 2, 2014 in the Greenville County Probate Court in the matter of the *Estate of Tynslee Elizabeth Fields*, Case No. 2012-ES-23-01718.
8. July 15, 2014 Correspondence from the Greenville County Probate Court regarding the Summons and Petition to Deny Respondent Wrongful Death Proceeds filed on July 2, 2014 in the Greenville County Probate Court in the matter of the *Estate of Tynslee Elizabeth Fields*, Case No. 2012-ES-23-01718.
9. Notice of Motion and Motion to Stay Disbursement of Proceeds filed on July 23, 2014 in the Greenville County Probate Court in the matter of the *Estate of Tynslee Elizabeth Fields*, Case No. 2012-ES-23-01718.
10. Motion to Compel filed August 6, 2014 in the Greenville County Court of Common Pleas in the matter of *Lauren Murphy, individually, and as Personal Representative of the Estate of Tynslee Fields vs. Bon Secours Health System, Inc., et. al.*, Case No. 2013-CP-23-04186.
11. Return to Mark Collins' Motion to Compel and Motion to Deny Mark Collins Any and All Proceeds Derived from Settlement of Survival and Wrongful Death Actions filed August 15, 2014 in the Greenville County Court of Common Pleas in the matter of *Lauren Murphy, individually, and as Personal Representative of the Estate of Tynslee Fields vs. Bon Secours Health System, Inc., et. al.*, Case No. 2013-CP-23-04186.
12. Interested Party Mark Collins' Memorandum in Support of Motion to Compel Disbursement and Response to Motion to Deny Proceeds filed September 26, 2014 in the Greenville County Court of Common Pleas in the matter of *Lauren Murphy, individually, and as Personal Representative of the Estate of Tynslee Fields vs. Bon Secours Health System, Inc., et. al.*, Case No. 2013-CP-23-04186.
13. Plaintiff's Memorandum in Support of Motion to Deny Mark Collins Any and All Proceeds Derived from Settlement of Survival and Wrongful Death Actions filed September 29, 2014 in the Greenville County Court of Common Pleas in the matter of *Lauren Murphy, individually, and as Personal Representative of the Estate of Tynslee Fields vs. Bon Secours Health System, Inc., et. al.*, Case No. 2013-CP-23-04186.
14. Greenville County Court of Common Pleas November 5, 2014 Order on Movant Mark Collins' Motion to Compel Disbursement and Personal Representative Lauren Murphy's Motion to Deny Proceeds entered in the matter of *Lauren Murphy, individually, and as Personal Representative of the Estate of Tynslee Fields vs. Bon Secours Health System, Inc., et. al.*, Case No. 2013-CP-23-04186.

15. Motion to Deny Mark Collins Wrongful Death and Survival Settlement Proceeds filed in the Greenville County Probate Court on November 18, 2014 in the matter of the *Estate of Tynslee Elizabeth Fields*, Case No. 2012-ES-23-01718.
16. Return in Opposition to Motion to Deny Mark Collins Wrongful Death And Survival Settlement Proceeds filed in the Greenville County Probate Court on November 24, 2014 in the matter of the *Estate of Tynslee Elizabeth Fields*, Case No. 2012-ES-23-01718.
17. Plaintiff's Submission to the Court of Case Law from Jurisdictions Other than South Carolina filed on January 23, 2015 in the Greenville County Probate Court on in the matter of the *Estate of Tynslee Elizabeth Fields*, Case No. 2012-ES-23-01718.
18. Respondent's Submission of Applicable Case Law from Other Jurisdictions filed on January 27, 2015 in the Greenville County Probate Court on in the matter of the *Estate of Tynslee Elizabeth Fields*, Case No. 2012-ES-23-01718.
19. Transcript of the January 9, 2015 Hearing in the Greenville County Probate Court in the matter of the *Estate of Tynslee Elizabeth Fields*, Case No. 2012-ES-23-01718.
20. Greenville County Probate Court Order filed April 29, 2015 in the matter of the *Estate of Tynslee Elizabeth Fields*, Case No. 2012-ES-23-01718.
21. Notice of Intent to Appeal to Circuit Court filed by Mark Collins on May 1, 2015.
22. Appellant Mark Collins' Appellate Brief filed with the Circuit Court on July 13, 2015
23. Respondent Lauren Murphy's Brief filed with the Court of Appeals on August 12, 2015.
24. Transcript of September 10, 2015 hearing before the Circuit Court in the matter of Mark Collins Appellant vs. Tynslee Elizabeth Fields, Deceased and Lauren Murphy Respondent.
25. Greenville County Circuit Court Order filed December 28, 2015 in the matter of Mark Collins Appellant vs. Tynslee Elizabeth Fields, Deceased and Lauren Murphy Respondent.
26. Motion for Reconsideration filed with the Circuit Court on January 6, 2016 by Lauren Murphy Respondent.
27. Greenville County Court Order on Lauren Murphy's Motion for Reconsideration filed February 9, 2016.
28. Appellant Lauren Murphy's Notice of Appeal filed with the Court of Appeals on March 11, 2016.

Further, undersigned counsel hereby certifies that Appellant's Designation of Matter does not include any documents or matters that are irrelevant to this appeal.

Respectfully Submitted,



JESSICA SALVINI, ESQ.

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Greenville, SC
Dated: June 27, 2016



JOHN M. READ, IV, ESQ.

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Greenville, SC
Dated: June 27, 2016

ATTORNEYS FOR RESPONDENT

THE STATE OF SOUTH CAROLINA
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PERRY H. GRAVELY, CIRCUIT COURT JUDGE

CASE NO.: 2016-000536

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Mark Collins Respondent,

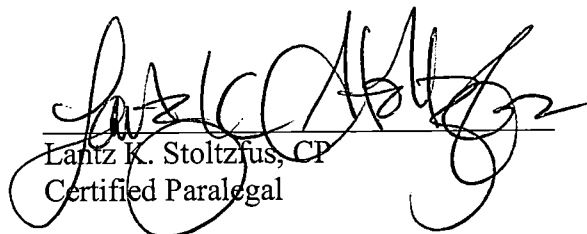
v.

Lauren Murphy as Statutory Beneficiary, Appellant.

PROOF OF SERVICE

I certify that I have served the INITIAL BRIEF OF RESPONDENT AND RESPONDENT'S DESIGNATION OF MATTER by depositing a copy of it in the United States Mail, postage prepaid, on June 27, 2016 addressed to: Charles W. Marchbanks, Jr., The Marchbanks Law Firm, 1225 S. Church Street, Greenville, SC 29605.

June 27, 2016



Lantz K. Stoltzfus, CP
Certified Paralegal

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SC Court of Appeals

SENT VIA U.S. MAIL ONLY

Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

IN THE MATTER OF: *Tynslee Elizabeth Fields, Deceased*
Lauren Murphy v. Mark Collins
Appellate Case No. 2016-00536

Dear Clerk of Court:

Enclosed please find for filing the original plus one copy of the Initial Brief of Respondent and Respondent's Designation of Matter along with our Proof of Service in the above-referenced matter.

Please do not hesitate to contact our office if you have any questions regarding this filing.

Thank you for your kind assistance in this matter.

Sincerely,

Lantz K. Stoltzfus, CP
Certified Paralegal

Encls.

cc: Charles W. Marchbanks, Jr., Esq.
Jack Read, Esq. (via email only)
Ruth H. DiPasquale, Esq. (via email only)