

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

C.A. No.: 2011-CP-10-00387
Appellate Case No. 2016-001140

RECEIVED
JUN 29 2016
SC Court of Appeals

PCS Nitrogen, Inc. Appellant,

vs.

Continental Casualty Company, Admiral Insurance Company,
United States Fire Insurance Company, ACE Property & Casualty
Insurance Company, Certain Underwriters at Lloyd's London, the
Aviva Companies, the Winterthur Companies, Certain London
Market Insurance Companies, Providence Washington Insurance
Company (as Successor in Interest by way of Merger to Seaton
Insurance Company, f/k/a Unigard Security Insurance, f/k/a
Unigard Mutual Insurance Company), Berkshire Hathaway Specialty
Insurance Company (f/k/a Stonewall Insurance Company),
Lexington Insurance Company, Starr Indemnity & Liability
Company (f/k/a Republic Insurance Company), First State Insurance
Company, Century Indemnity Company (f/k/a California Union
Insurance Company and Insurance Company of North America)..... Respondents.

**APPELLANT'S INITIAL DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 209, SCACR, Appellant PCS Nitrogen, Inc., designates the following
materials for inclusion in the record on appeal in connection with its initial brief.

Order

	Dated/Filed
Order on Motion for Summary Judgment	March 23, 2016
Order on Motion for Reconsideration	May 5, 2016

Pleadings

Complaint	January 8, 2011
Motion for Summary Judgment of Continental Casualty Company and Insurance Policy Exhibits	July 24, 2015
Joinder of Providence Washington and Insurance Policy Exhibits	August 11, 2015
Joinder of Lexington Insurance Company and Insurance Policy Exhibits	August 12, 2015
Joinder of Stonewall Insurance Company and Insurance Policy Exhibits	July 28, 2015
Joinder of Certain Underwriters at Lloyd's of London and Insurance Policy Exhibits	July 30, 2015
Joinder of Admiral Insurance Company and Insurance Policy Exhibits	August 4, 2015
Joinder of Admiral Insurance Company and Insurance Policy Exhibits	August 6, 2015
Joinder of London Market Insurers and Insurance Policy Exhibits	August 12, 2015
Opposition Brief of PCS Nitrogen, Inc. and Exhibit 1 and 2 Thereto	October 9, 2015
Reply Brief of Continental Casualty Company	November 13, 2015
Proposed Order of Continental Casualty Company	February 12, 2016
Brief in Support of Reconsideration of PCS Nitrogen, Inc.	April 7, 2016
Opposition Brief of Continental Casualty Company	April 18, 2016
Reply Brief of PCS Nitrogen, Inc	April 25, 2016.

Transcripts

Oral Argument Transcript	February 2, 2016
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CERTIFICATION

Pursuant to Rule 209(c), SCACR, we certify that this designation contains no matter that is irrelevant to the appeal.

June 27, 2016

Respectfully submitted,



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Insurance Company (f/k/a Stonewall Insurance Company),
Lexington Insurance Company, Starr Indemnity & Liability
Company (f/k/a Republic Insurance Company), First State Insurance
Company, Century Indemnity Company (f/k/a California Union
Insurance Company and Insurance Company of North America)..... Respondents.

PROOF OF SERVICE

I certify that I have served Appellant's Initial Brief and Appellant's Initial Designation of Matter to be Included in the Record on Appeal on all attorneys of record by depositing a copy of it in the United States Mail, postage prepaid, on June 27, 2016, addressed to all attorneys as shown below:

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June 27, 2016

Honorable Jenny Abbott Kitchings
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JUN 29 2016
SC Court of Appeals

Re: PCS Nitrogen, Inc., Appellant v. Continental Casualty Company, et al., Respondents
Appellate Case No. 2016-001140
HSB File No. 35894-2

Dear Ms. Kitchings:

Enclosed herewith for filing, please find an original and one copy of the following:

- (1) Appellant's Initial Brief;
- (2) Appellant's Initial Designation of Matter to be included in the Record on Appeal; and
- (3) Proof of Service.

Please return file-stamped copies of Appellant's Initial Brief, Initial Designation and Proof of Service to me in the enclosed envelope.

Thank you for your attention to this matter.

Very truly yours,



Wm. Howell Morrison

WHM/kmg

Enclosures

cc: Attorneys of Record (by U.S. Mail)