

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM KERSHAW COUNTY  
Court of Common Pleas

DeAndrea G. Benjamin, Circuit Court Judge  
Diane S. Goodstein, Circuit Court Judge

Consolidated Cases For Trial

Case No.: 2010-CP-28-322

Case No. 2010-CP-28-323

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**RECEIVED**

JUL 14 2016

**SC Court of Appeals**

Jamie Curley, Plaintiff,

v.

SCENT Land Holdings, LLC, Amy Puchalski, and Robert Puchalski, Defendants  
and Dr. Orville Dyce, Plaintiff,

v.

South Carolina ENT, Allergy & Sleep Medicine, P.A., Amy Puchalski, and Robert  
Puchalski, Defendants

Of Whom Jamie Curley, and Dr. Orville Dyce are the Respondents/Appellants,

And

SCENT Land Holdings, LLC, Amy Puchalski and Robert Puchalski, South Carolina ENT,  
Allergy & Sleep Medicine, P.A. are the Appellants/Respondents.

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**DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL**

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Appellants/Respondents propose the following to be included in the Record on  
Appeal:


1. Form 4 Order of Honorable DeAndrea G. Benjamin dated July 31, 2012 Granting Plaintiff's Summary Judgment
2. Form 4 Order of the Honorable DeAndrea G. Benjamin dated February 1, 2013 Denying Defendant's Motion to Alter or Amend Judgment
3. Order of the Honorable John Cannon Few dated August 21, 2013
4. Order of the Honorable Diane S. Goodstein filed December 8, 2015
5. Order of the Honorable Diane S. Goodstein Denying Defendants' Motion to Alter or Amend and for Reconsideration filed February 24, 2016
6. Plaintiff's Summons and Complaint (2010-CP-28-323)
7. First Amended Summons and Complaint (2010-CP-28-323)
8. Answer to First Amended Complaint and Counterclaims (2010-CP-28-323)
9. Plaintiff's Amended Summons and Complaint (2010-CP-28-322)
10. Defendants' Answer to Amended Complaint and Counterclaims (2010-CP-28-323)
11. Reply to Counterclaims and Answer to Third-Party Complaint (2010-CP-28-323)
12. Plaintiff's Motion for Summary Judgment (2010-CP-28-323)
13. Plaintiff's Motion for Summary Judgment (2010-CP-28-322)
14. Defendants' Combined Memorandum in Opposition to Summary Judgment on Judicial Dissolution and Defendants' Counterclaims and Exhibits
15. Affidavit of Robert Puchalski, M.D. in Support of Defendant's Combined Memorandum in Opposition to Summary Judgment on Judicial Dissolution and Defendants' Counterclaims
16. Order Denying Plaintiff's Motion for Summary Judgment of July 31, 2013
17. Defendants' Motion to Alter or Amend filed August 13, 2012
18. Transcript of Record of Proceedings dated April 16, 2012
19. Trial Transcript V-I pp. 154-459, V-I pp. 513-520, V-I pp. 542-551, V-I pp. 555-561, V-I pp. 561-579, V-I pp. 607-707, V-I pp. 579-607, V-II pp. 3-314, V-III pp. 6-99, V-III pp. 100-239, V-III 239-247, V-III pp. 265-500, V-IV pp. 38-121, V-IV pp. 121-286

20. Plaintiff's Exhibits 7, 8, 9, 12, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 30, 31, 32, 33, 34, 35, 37, 39, 53, 56, 58, 59, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 75, 76, 78, 79, 81, 82, 83, 84, 85, 86, 87, 90, 96, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 113, 114, 115, 118, 119, 120, 121, 125, 131, 132, 133, 134, 135, 153, 154, 156, 161, 162, 163, 165, 172, 173, 174, 175, 176, 178, 184, 187, 192, 195, 196, 200, 204, 213, 231, 232, 234, 239, 240, 257, 264, 265, 270, 271, and 289.

21. Defendant's Exhibits 2, 3, 8, 9, 10, 12, 13, 25, 26, 27, 28, 29, 32, 34, 35, 37, 39, 41, 44, 45, 46, 47, 49, 51, 52, 54, 56, 57, 58, 59, 60, 63, 65, 66, 67, 70, 71, 72, 74, 78, 84, 86, 87, 88, 89, 92, 93, 97, 99, 101, 108, 109, 114, 115, 117, 122, 123, 124, 126, 127, 129, 130, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 144, 146, 148, 154, 155, 156, 157, 159, 163, 165, 166, 167, 169, 172, 173, 175, 177, 178, 179, 180, 181, 182, 183, 190, 191, 207, 209, 211, 212, 213, 216, 217, 218, 220, 223, 224, 226, 228, 231, 232, 233, 234, 236, 237, 238, 239, 240, 243, 244, 245, 246, 247, 248, 249, 250, 251, 253, 254, 255, 258, 259, 279, 281, 282, 283, 284, 285, 286, and 287.

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

Respectfully submitted,

  
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Vincent A. Sheheen, Esquire (SC Bar# 11552)  
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July 14, 2016

Attorneys for Appellants/Respondents

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South Carolina ENT, Allergy & Sleep Medicine, P.A., Amy Puchalski, and Robert  
Puchalski, Defendants

Of Whom Jamie Curley, and Dr. Orville Dyce are the Respondents/Appellants,

And

SCENT Land Holdings, LLC, Amy Puchalski and Robert Puchalski, South Carolina ENT,  
Allergy & Sleep Medicine, P.A. are the Appellants/Respondents.

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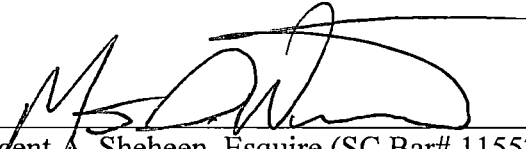
**PROOF OF SERVICE**

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The undersigned hereby certifies that on the date indicated below he served counsel  
for Respondents/Appellants with a copy of the Initial Brief of Appellants/Respondents and

Designation of Matter to be Included in the Record on Appeal by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

Morris A. Ellison, Esquire  
Jana B. Baker, Esquire  
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PO Box 999  
Charleston SC 29402  
Respectfully submitted,



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July 14, 2016

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HENRY SAVAGE, JR.  
1903 - 1990

\* CERTIFIED MEDIATOR & ARBITRATOR

July 14, 2016

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SC Court of Appeals

**VIA HAND-DELIVERY**

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

RE: Jamie Curley vs. SCENT Allergy & Sleep Medicine, P.A.  
Appellate Case No. 2016-0626

Dear Mrs. Kitchings:

I hope this correspondence finds you doing well.

Please find enclosed the conditionally filed original and one (1) copy of the Initial Brief of Appellants/Respondents and Designation of Matter to be Included in the Record on Appeal pending Appellants/Respondents' Motion to Exceed Page Limitations in the above-referenced matter. I have also enclosed a proof of service of this upon counsel for Respondents/Appellants.

I ask that you have someone from your office file the original and return the additional filed copy to me via our courier.

If you have any questions, please do not hesitate to contact me.

Very truly,

  
Michael D. Wright

Enclosures as Stated

cc: Morris Ellison, Esquire  
Jana B. Baker, Esquire  
Robert Puchalski, M.D.