

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM LEXINGTON COUNTY
COURT OF COMMON PLEAS
THE HONORABLE TANYA A. GEE
CIRCUIT COURT JUDGE

RECEIVED

JUL 25 2016

APPELLATE CASE NO. 2016-000068
CIVIL ACTION NO. 2015-CP-32-00170

SC Court of Appeals

Joseph W. Owens,

APPELLANT,

versus

Temus C. Miles, Jr., B.J. Unthank, L. Dale Harley,
Boyd J. Jones, Tommy G. Parler, Eric L. Fowler, Dennis
Tyndall, Ashley S. Hunter and McKay Public Affairs, LLC,

DEFENDANTS,

Of whom Temus C. Miles, Jr., B.J. Unthank, L. Dale Harley,
Boyd J. Jones, Tommy G. Parler, Eric L. Fowler, and
Dennis Tyndall are the

RESPONDENTS.

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

The Respondents in the above referenced matter propose the following be included in the Record on Appeal:

1. Complaint, filed January 15, 2015;
2. Amended Complaint, filed February 24, 2015;

3. Answer of Respondents, filed April 2, 2015;
4. Respondents' Motion for Summary Judgment, filed September 14, 2015;
5. Respondents' Memorandum in Support of their Motion for Summary Judgment with **all attached Exhibits 1-22**, filed September 29, 2015;
6. Respondents' Supplemental Memorandum in Support of Their Motion for Summary Judgment, filed November 4, 2015;
7. Transcript of Hearing Held March 18, 2015 (designated pages only): pp. 1, 25-26;
8. Entire Transcript of Summary Judgment Hearing Held October 27, 2015;
9. Order Granting Summary Judgment, filed December 7, 2015;
10. Deposition Transcript of Joseph W. Owens (attached as Ex. H to Owens' Memorandum in Opposition to Summary Judgment) (designated pages only¹): 30, 74, 106, 109, 157-58, 169, 184-86, 279; and
11. Entire Deposition Transcript of Robert Bolchoz.

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

Respectfully submitted,



David A. Anderson
Carmen V. Ganjehsani
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Columbia, South Carolina 29202
(803) 771-4400
ATTORNEYS FOR RESPONDENTS

July 22, 2016.

¹ Based upon the bottom of the page numbers.

CERTIFICATE OF SERVICE

I, the undersigned, attorney for Respondents, Temus C. Miles, Jr., B.J. Unthank, L. Dale Harley, Boyd J. Jones, Tommy G. Parler, Eric L. Fowler, and Dennis Tyndall, do hereby certify that I have this date served the foregoing Designation of Matter to be Included in the Record on Appeal, dated July 22, 2016, by causing the same to be deposited in a United States Postal Service mailbox, postage prepaid, addressed to counsel of record as indicated below:

Stephen "Chip" Burn
BURN LAW FIRM, LLC
945 East Main Street, Suite D
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Dated: July 22, 2016.

Reply to: Carmen V. Ganjehsani

Direct Dial: 803-253-8692

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July 22, 2016

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

**Re: *Joseph W. Owens v. Temus C. Miles, Jr., B.J. Unthank, L. Dale Harley, Boyd
J. Jones, Tommy G. Parler, Eric L. Fowler, and Dennis Tyndall***
Appellate Case No. 2016-000068
Case No.: 2015-CP-32-00170
RPR File No.: 2047-332

Dear Ms. Kitchings:

Enclosed for filing are the original Initial Brief of Respondents and the Respondents' Designation of Matter to be Included in the Record on Appeal in the above referenced matter, along with our original Certificates of Service.

By copy of this letter, we are this day serving a copy of our Initial Brief and Designations on all counsel of record.

Should you have any questions regarding this matter, please do not hesitate to call.

Sincerely,



Carmen V. Ganjehsani

CVG

Enclosures

cc: Stephen "Chip" Burn, Esq. (w/enc.)
Andrew F. Lindemann, Esq. (w/enc.)
Robert F. Goings, Esq. (w/enc.)
Graham L. Newman, Esq. (w/enc.)
T. Lowndes Pope, Esq. (w/enc.)
Damon C. Włodarczyk, Esq. (w/enc.)
David A. Anderson, Esq. (via e-mail)

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The Honorable Jenny Abbott Kitchings
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