

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

James R. Barber III, Circuit Court Judge
Letitia H. Verdin, Circuit Court Judge

RECEIVED

JUL 20 2016

SC Court of Appeals

Case No. 2014-CP-23-03422

Three Blind Mice, LLC
d/b/a The Blind Horse Saloon Respondent

v.

Colony Insurance Company Appellant

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

Pursuant to Rule 209, SCACR, Appellant Colony Insurance Company ("Colony") designates the following items for inclusion in the record on appeal. Undersigned counsel certifies pursuant to Rule 209(c), SCACR, that this designation contains no matter which is irrelevant to the appeal.

Orders:

1. Interlocutory Order, November 18, 2015 ("2015 Order")
2. Final Order, April 8, 2016 ("2016 Order")

Pleadings:

3. Summons and Complaint, filed on June 19, 2014
4. Defendant's Answer to Plaintiff's Complaint, Counterclaim, and Third-Party Complaint for Declaratory Judgment, filed on September 2, 2014
5. Reply to Counterclaim, filed on September 4, 2014
6. Defendant's Motion for Summary Judgment, filed on July 31, 2015
7. Plaintiff's Motion for Summary Judgment, filed on August 6, 2015
8. Plaintiff's Brief in Support of Motion for Summary Judgment, without exhibits, filed on September 15, 2015
9. Memorandum of Law in Support of Defendant Colony Insurance Company's Motion for Summary Judgment, without exhibits, filed on September 21, 2015
10. Plaintiff's Brief in Opposition to Defendant's Motion for Summary Judgment, filed on September 30, 2015
11. Defendant Colony's Response Brief in Opposition to Plaintiff's Motion for Summary Judgment, filed on September 30, 2015
12. Notice of Appeal, filed on May 10, 2016

Transcript:

13. Transcript of Hearing held on October 15, 2015, pp. 1-30

Other:

14. Certified Copy of the Commercial General Liability Policy No. GL3812749, issued by Colony to Three Blind Mice, Inc. d/b/a The Blind Horse Saloon, for a coverage period from December 14, 2010 to December 14, 2011
15. Complaint in the civil action captioned "*Katherine Frost and Bobby Frost v. Three Blind Mice, LLC, et al.*," Civil Action No. 2012-CP-23-3249, in the Court of Common Pleas, Greenville County, South Carolina (the "Frost Complaint"), filed on May 15, 2012
16. Letter from David L. Moore, Jr. to the Honorable James R. Barber, III dated October 1, 2015

17. Letter from David L. Moore to David L. Brown and Eric K. Englehardt,
dated December 2, 2015

Respectfully submitted,



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-and-

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Attorneys for Appellant Colony Insurance Company

July 15, 2016

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PROOF OF SERVICE

I, David G. Harris II, of the law offices of Goldberg Segalla LLP, attorneys for Appellant, do hereby certify that I have served all parties to the appeal in this action with a copy of the pleadings herein below specified by mailing a copy of the same by U.S. Mail, postage pre-paid, to the following addresses:

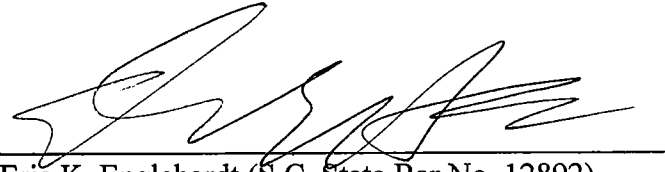
Pleadings: (1) Appellant's Initial Brief

(2) Appellant's Designation of Matter to be Included in the Record on Appeal

Counsel Served:

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*Attorneys for Respondent Three Blind Mice
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Attorneys for Appellant Colony Insurance Company

July 15, 2016

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

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**RE: Three Blind Mice, LLC, d/b/a The Blind Horse Saloon
v. Colony Insurance Company
Civil Action No: 2014-CP-23-03422**


Dear Ms. Kitchings:

Enclosed for filing, please find the following documents:

- (1) Appellant's Initial Brief (original and two copies);
- (2) Appellant's Designation of Matter for the Record on Appeal (original and two copies); and
- (3) Proof of Service on the Respondent (original and two copies).

Kindly please return a clocked copy of Appellant's Initial Brief and a clocked copy of Appellant's Designation of Matter for the Record on Appeal to me in the self-addressed, stamped envelope enclosed. By copy of this letter and Proof of Service, we are hereby serving all parties to the appeal.

Very truly yours,


David G. Harris II

DGH/kf

Enclosures

cc: William W. Wilkins/Andrew A. Mathias