

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

**RECEIVED**

AUG 08 2016

SC Court of Appeals

Gordon G. Cooper, Master-In-Equity

Trial Court Case No. 2014-CP-42-04205

---

Appellate Case No. 2016-000916

Ex Parte Anthony L. Mathis, .....Appellant,

Invacare Corporation, Inc. and all of its subsidiaries, assignors, and  
assignees, ..... Respondent,

v.

MD Medical, LLC and Gary Day, .....Defendants.

---

DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL


---

Appellant proposes the following be included in the Record on Appeal:

1. July 20, 2015 Transcript of Record;
2. August 24, 2015 Order of Reference for Rule to Show Cause;
3. November 19, 2015 Transcript of Testimony;
4. Order of December 14, 2015;
5. Motion to Reconsider and Amend;
6. March 29, 2016 Transcript of Motion;
7. Order of March 30, 2016.

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

~~LYLES, DARR & CLARK, LLP~~

  
\_\_\_\_\_  
Carlos C. Johnson (S.C. Bar No. 70315)  
104 N. Daniel Morgan Ave., Suite 220 (29306)  
Post Office Box 5726  
Spartanburg, South Carolina 29304-5726  
[cjohnson@ldclaw.com](mailto:cjohnson@ldclaw.com)  
Telephone: (864) 585-4806  
Facsimile: (864) 585-4810

August 4, 2016  
Spartanburg, South Carolina

Attorneys for Appellant

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

**RECEIVED**

Gordon G. Cooper, Master-In-Equity

AUG 08 2016

Trial Court Case No. 2014-CP-42-04205

SC Court of Appeals

Appellate Case No. 2016-000916

Ex Parte Anthony L. Mathis, .....Appellant,

Invacare Corporation, Inc. and all of its subsidiaries, assignors, and  
assignees,..... Respondent,

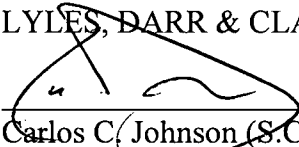
v.

MD Medical, LLC and Gary Day, .....Defendants.

PROOF OF SERVICE

I certify that I have served the Appellant's Designation of Matter to be Included in the Record on Appeal on Invacare Corporation, Inc. and all of its subsidiaries, assignors, and assignees, by depositing a copy of it in the United States Mail, postage prepaid, on August 4, 2016, addressed to their attorneys of record, Bonum S. Wilson, III and Brandon T. Reeser, Wilson & Heyward, LLC, Post Office Box 13177, Charleston, South Carolina 29422.

LYLES, DARR & CLARK, LLP

  
\_\_\_\_\_  
Carlos C. Johnson (S.C. Bar No. 70315)  
104 N. Daniel Morgan Ave., Suite 220 (29306)  
Post Office Box 5726  
Spartanburg, South Carolina 29304-5726  
[cjohnson@ldclaw.com](mailto:cjohnson@ldclaw.com)  
Telephone: (864) 585-4806  
Facsimile: (864) 585-4810

August 4, 2016  
Spartanburg, South Carolina

Attorneys for Appellant

LAW OFFICES  
**LYLES, DARR & CLARK, LLC**

104 NORTH DANIEL MORGAN AVENUE, SUITE 220  
SPARTANBURG, SOUTH CAROLINA 29306-2322

KENNETH E. DARR, JR.  
kdarr@ldclaw.com  
CARLOS C. JOHNSON  
cjohnson@ldclaw.com  
KENNETH W. NETTLES, JR.  
nnettlles@ldclaw.com

TERRY F. CLARK, RETIRED  
FRANK A. LYLES 1923-2012  
WILLIAM C. LYLES 1917-2012  
THOMAS M. LYLES 1880-1967

**MAILING ADDRESS:**  
POST OFFICE BOX 5726  
SPARTANBURG SC 29304

TELEPHONE:  
864-585-4806

FACSIMILE:  
864-585-4810

August 4, 2016

**RECEIVED**  
AUG 08 2016  
SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
Clerk of the South Carolina Court of Appeals  
Attn: Ms. Elizabeth Carter  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: Ex Parte Anthony L. Mathis, Appellant, Invacare Corporation, Inc., and all of its subsidiaries,  
assignors, and assignees, Respondent v. MD Medical, LLC and Gary Day, Defendants  
Case Number: 2016-000916

Dear Ms. Kitchings:

Enclosed for filing are an original and one copy of Appellant's Initial Brief in the above-referenced case and an original and one copy of the Designation of Matter to be Included in the Record on Appeal. Also enclosed are the Proofs of Service of the Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal on the Respondents.

Sincerely,



Carlos C. Johnson

CCJ:sm  
Enclosures

cc: Mr. Bonum S. Wilson, III  
Mr. Brandon T. Reeser  
Wilson & Heyward, LLC  
Post Office Box 13177  
Charleston, South Carolina 29422  
Attorneys for Respondent



1000



29211

U.S. POSTAGE  
PAID  
SPARTANBURG, SC  
29306  
AUG 04, 16  
AMOUNT  
**\$2.20**  
R2304M113546-16

**First Class Mail**

**RECEIVED**

AUG 08 2016

SC Court of Appeals

LYLES, DARR & CLARK, LLC  
P O BOX 5726  
SPARTANBURG SC 29304-5726

TO: The Honorable Jenny Abbott Kitchings  
Clerk of the South Carolina Court of Appeals  
Attn: Ms. Elizabeth Carter  
Post Office Box 11629  
Columbia, South Carolina 29211