

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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AUG 03 2016

SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Tanya A. Gee, Circuit Court Judge

Case No. 2015-CP-40-01082

Karl T. Harbath, Respondent,

v.

Stephen Sanders, Bennett-Hall Co., Inc.,
and Sunbelt Rentals, Inc., Defendants,

Of whom

Bennett-Hall Co., Inc. is the, Appellant.

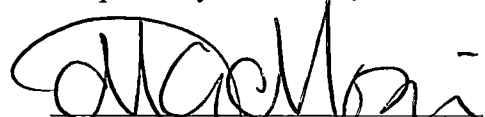
**DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

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

- 1. Black Box Motion to Dismiss and Memorandum in Support of its Motion.

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

Respectfully Submitted,



Melissa G. Mosier, SC-Bar # 78693
MCWHIRTER, BELLINGER
& ASSOCIATES, P.A.
119 East Main Street
Lexington, South Carolina 29072
(803) 359-5523 Phone

August 3, 2016

Attorney for Respondent

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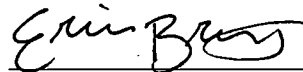
Of whom

Bennett-Hall Co., Inc. is the, Appellant.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below she served counsel for the Appellant with a copy of the *Motion for the Court to Accept the Respondent's Initial Brief out of Time and the conditionally filed Initial Brief of Respondent 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 addresses:

Brian A. Comer
Kerri B. Rupert
Collins & Lacy, PC
1330 Lady St.
Columbia, SC 29201



Erin Bridges

August 3, 2016



BLUESTEIN · NICHOLS · THOMPSON · DELGADO LLC
ATTORNEYS AT LAW

August 3, 2016

VIA HAND DELIVERY

The Honorable Jenny Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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AUG 03 2016
SC Court of Appeals

RE: Karl T. Harbath v. Stephen Sanders
Case Tracking No.: 2015-002566

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of a Motion for the Court to Accept the Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal Out of Time. Also, please find enclosed the conditionally filed original and one (1) copy of the Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal. I have also enclosed a proof of service upon counsel for the Appellant and a check in the amount of \$25.00 for filing this motion. Please return the additional filed copies to me via our courier.

Thank you for your attention to this matter. If you need any additional information, please do not hesitate to contact me.

Sincerely,

Erin Bridges

Paralegal to John S. Nichols
BLUESTEIN, NICHOLS,
THOMPSON & DELGADO, LLC

/emb

Enclosures

cc: Melissa G. Mosier, Esquire
Brian A. Comer, Esquire
Kerri B. Rupert, Esquire