

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas
The Honorable Maite Murphy

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SEP 21 2016

SC Court of Appeals

Appellate Case No. 2016-000984

Cortland James Eggleston, Appellant,

v.

United Parcel Service, Inc., and Rick Fogle, Defendants,

Of Whom United Parcel Service, Inc., is the Respondent,

and

Rebecca McCutcheon, Appellant,

v.

United Parcel Service, Inc., and John Doe, Defendants,

Of Whom United Parcel Service, Inc., is the Respondent.

APPELLANTS' DESIGNATION OF MATTER TO BE INCLUDED IN THE
RECORD ON APPEAL

Appellants Cortland James Eggleston and Rebecca McCutcheon propose the following to
be included in the Record on Appeal:

1. Eggleston Notice of Appeal, filed May 6, 2015
2. McCutcheon Notice of Appeal, filed May 6, 2015
3. Orders:
 - a. McCutcheon Order Granting Defendants' Motion to Dismiss, filed February 22, 2016

- b. Eggleston Order Granting Defendants' Motion to Dismiss, filed February 22, 2016
- c. McCutcheon Order Denying Plaintiff's Rule 59(e) Motion to Reconsider, Alter, or Amend, filed April 6, 2016
- d. Eggleston Order Denying Plaintiff's Rule 59(e) Motion to Reconsider, Alter, or Amend, filed April 6, 2016

4. Pleadings:

- a. McCutcheon Complaint, filed September 18, 2014
- b. Eggleston Complaint, filed April 1, 2015
- c. UPS Motion to Dismiss (McCutcheon), filed December 15, 2014
- d. UPS Motion to Dismiss (Eggleston), filed May 4, 2015
- e. UPS Memorandum of Law in Support of its Motion to Dismiss Plaintiff's Complaint (McCutcheon), filed February 19, 2015
- f. McCutcheon's Memorandum in Opposition to Defendants' Motion to Dismiss, dated June 15, 2015
 - i. Including all exhibits
- g. Eggleston's Memorandum in Opposition to Defendants' Motion to Dismiss, dated June 15, 2015
 - i. Including all exhibits
- h. McCutcheon's Rule 59(e), SCRCPP, Motion to Reconsider, Alter, or Amend, filed March 3, 2016
- i. Eggleston's Rule 59(e), SCRCPP, Motion to Reconsider, Alter, or Amend, filed March 3, 2016

5. Transcripts of Proceedings:

- a. Transcript of Hearing, held September 28, 2015

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

[Signature block appears on the following page.]

Kathleen C. Barnes

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Attorneys for Appellants

September 19, 2016

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Of Whom United Parcel Service, Inc., is the Respondent.

PROOF OF SERVICE

The undersigned certifies that a copy of *Appellants' Initial Brief* and *Appellants' Designation of Matter to be Included in the Record on Appeal* have been served upon the following counsel of record by mailing a copy of the same by United States Mail, addressed as shown below this 19 day of September, 2016.

G. Troy Thames
421 Wando Park Blvd., Suite 100
Mount Pleasant, SC 29464
(843) 284-0832

Ryan R. Corkery
Ansa Assunacao, LLP
1600 JFK Blvd.
Four Penn Center, Suite 900
Philadelphia, PA 19103
(267) 528-0733

Dated: September 19, 2016

BARNES LAW FIRM, LLC

By: Kathleen C. Barnes
Kathleen C. Barnes
Post Office Box 897
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803-943-4529

BARNES

LAW FIRM | LLC

Kathleen C. Barnes
Admitted: Georgia | South Carolina

September 19, 2016

Via U.S. Mail

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

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SEP 21 2016
SC Court of Appeals

Re: *Cortland James Eggleston and Rebecca McCutcheon v. United Parcel Service, Inc.*
Consolidated Appellate Case No. 2016-000984

Dear Ms. Kitchings:

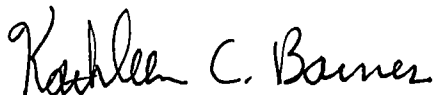
Enclosed for filing please find the original and one copy of Appellants' Initial Brief and Designation of Matter to be Included in the Record on Appeal in the above-referenced case. Also enclosed is proof of service of the Brief and Designation of Matter.

Please file the documents and return one file-stamped copy to me in the enclosed self-addressed, stamped envelope. By copy of this letter, I am serving all counsel of record with a copy of the same.

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

With kind regards, I am,

BARNES LAW FIRM, LLC



Kathleen C. Barnes

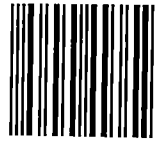
Enclosures

cc: G. Troy Thames
Ryan R. Corkery
Shane M. Burroughs (via e-mail)
Justin T. Bamberg (via e-mail)

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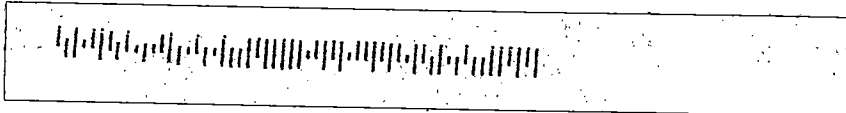


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