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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY  
Hon. Dale Van Slambrook, Master-in-Equity

RECEIVED  
OCT 11 2016  
SC Court of Appeals

Case No. 2014- CP-08-01142

Blue Chip Medical Products,  
Inc.,

Respondent,

v.

Robert L. Bonifay, Jr., Airus  
Medical Services, LLC and  
Airus Medical, LLC,

Appellants.

**MOTION FOR CERTIFIED COPIES OF TRIAL COURT'S MARKED  
AND ENTERED TRIAL EXHIBITS AND EXTENSION OF TIME TO  
FILE APPELLANT'S BRIEF**

Robert L. Bonifay, Jr, Airus Medical Services, LLC and Airus Medical, LLC request an Order from the South Carolina Court of Appeals to Hon. Dale Van Slambrook, Master-In-Equity of Berkeley County, South Carolina, for true and certified copies of all Exhibits Marked and Entered into Evidence for trial conducted on Blue Chip Medical Products, Inc. v. Bonifay, et al., Case No. 2014-CP-08-01142, within ten (10) days from the date of the S.C. Court of Appeals Order. Appellant also requests a thirty (30) day extension with which to file Appellant's Brief.

Janice Hayward, Court Reporter for said trial, requested a copy of the marked and admitted exhibits for purpose of inclusion into her court transcript. Upon information and belief, Janice Hayward's request was denied by the Berkeley County Master-in-Equity. See Affidavit of Janice Hayward attached hereto as **Exhibit A**. Respondent's attorney, Yancey McCleod, was kind to send a copy of his set of Exhibits to Appellants' attorney but there are large gaps in the numbering of the exhibits, see List of Blue Chip Trial Exhibits attached hereto as **Exhibit B**.

The primary purpose of the Appeal will be to argue that certain marked and entered trial Exhibits were admitted improperly under the S.C. Rules of Evidence, statutes, and/or case law. Appellant is seeking certified copies of these documents from the trial court in order to properly prepare and file Appellants' Brief.



October 3, 2016



Karen M. DeJong, SC Bar #70699  
DeJong Law Firm, LLC  
940 Johnnie Dodds Blvd., Ste. 203  
Mount Pleasant, South Carolina 29464-5652  
(843) 216-6161  
Attorney for Appellants

Other Counsel of Record:  
Yancey A. McLeod III, Esq.  
Leath, Bouch & Seekings, LLP  
92 Broad Street  
Charleston, SC 29401  
Attorney for Respondent

Court Administration  
1220 Senate Street, Suite 200  
Columbia, SC 29201

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

Case No. 2016-001307

Blue Chip Medical Products,  
Inc.,

Respondent,

v.

Robert L. Bonifay, Jr., Airus  
Medical Services, LLC and  
Airus Medical, LLC,

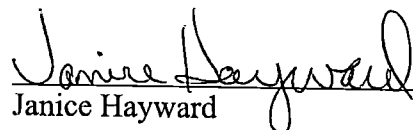
Appellants.

**AFFIDAVIT OF JANICE HAYWARD, RMR, INDEPENDENT COURT REPORTER**


THE AFFIANT, after first being sworn, deposes and states the following:

1. On July 29, 2016, I telephoned the Hon. Dale Van Slambrook-Berkeley County Master-in-Equity's office for a copy of the trial Exhibits for Blue Chip Medical Products, Inc. v. Robert L. Bonifay, Jr., et al., Case No. 2014-CP-08-01142.

2. I believed it was necessary to have the trial Exhibits in order to prepare the trial transcript.
3. I was told by a lady at that office that the Court retains the Exhibits. When I asked them for a scanned copy of the Exhibits for the transcript preparation, she said no.
4. I noted on the Exhibit Index page of the trial transcript that there are no Exhibits attached to the transcript as I did not have access to those Exhibits when I was preparing it.

  
Janice Hayward


SWORN TO before me  
this 7 day of October, 2016.

  
\_\_\_\_\_

NOTARY PUBLIC FOR SOUTH CAROLINA  
My Commission expires: 10-16-2022

KAREN DEJONG  
Notary Public, South Carolina  
My Commission Expires  
October 16, 2022

Blue Chip Trial Exhibits

Name	Size	Modified
Ex 1.pdf	259.04 KB	4 days ago
Ex 2.PDF	152.96 KB	4 days ago
		<input type="button" value="Sign in"/> <input type="button" value="Download"/>
Ex 3.pdf	590.21 KB	4 days ago
Ex 4.PDF	75.53 KB	4 days ago
Ex 5.PDF	89.83 KB	4 days ago
Ex 30.PDF	605.71 KB	4 days ago
Ex 31.PDF	241.6 KB	4 days ago
Ex 32.PDF	0.96 MB	4 days ago
Ex 33.PDF	243.14 KB	4 days ago
Ex 34.PDF	205.26 KB	4 days ago
Ex 35.PDF	179.81 KB	4 days ago
Ex 36.PDF	1.38 MB	4 days ago
Ex 37.PDF	8.07 MB	4 days ago
Ex 47.PDF	280.42 KB	4 days ago
Ex 50.PDF	201.65 KB	4 days ago
Ex 60.PDF	677.29 KB	4 days ago
Ex 62.PDF	1.1 MB	4 days ago
Ex 65.PDF	796.12 KB	4 days ago
Ex 67.PDF	567.48 KB	4 days ago
Ex 71.PDF	550.61 KB	4 days ago
Ex 110.pdf	28.84 MB	4 days ago

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY

Hon. Dale Van Slambrook, Master-In-Equity

Case No. 2014-CP-08-01142

Blue Chip Medical Products,  
Inc.,

Respondent,

v.

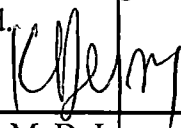
Robert L. Bonifay, Jr., Airus  
Medical Services, LLC and  
Airus Medical, LLC,

Appellant.

**PROOF OF SERVICE**

I certify that I have served the Appellants' Motion for Certified Copies of Trial Court's Marked and Entered Trial Exhibits and Request for Extension of Time for filing of Appellants' Brief, by depositing a copy of it in the United States Mail, postage prepaid, on October 4, 2016, addressed to Yancey A. McLeod III, Leath, Bouch & Seekings, LLP, P.O. Box 59, 92 Broad Street, Charleston, SC 29401, its' attorney of record.

October 4, 2016

  
\_\_\_\_\_  
Karen M. DeJong  
DeJong Law Firm, LLC  
940 Johnnie Dodds Blvd., Ste. 203  
Mount Pleasant, South Carolina 29464  
(843) 216-6161  
Attorney for Appellants

Other Counsel of Record:  
Yancey A. McLeod III  
Leath, Bouch & Seekings, LLP  
P.O. Box 59  
92 Broad Street  
Charleston, SC 29401  
Attorney for Respondent

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OCT 11 2016  
SC Court of Appeals

(843) 937-8811

DEJONG LAW FIRM, LLC  
272 West Coleman Blvd., Suite 200  
Mount Pleasant, SC 29464-5652

Telephone: (843) 216-6161

Fax: (843) 216-1119

October 4, 2016

BY FAX AND OVERNIGHT MAIL

Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

**RECEIVED**  
OCT 11 2016  
SC Court of Appeals

Re: Blue Chip Medical Products, Inc., Respondent v.  
Robert L. Bonifay, Jr., Airus Medical Services, LLC,  
And Airus Medical, LLC Appellants  
Appellate Case No. 2016-001307  
Berkeley County Court Case No. 2014-CP-08-01142

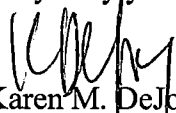
Dear Sir/Madam:

Enclosed for filing please find an original and one copy of Appellants' Motion for Certified Copies of Trial Court's Marked and Entered Trial Exhibits and Request for Extension of Time to file Appellants' Brief, along with the filing fee in the amount of \$25.00. Please return the date-stamped copy of the document to us in the envelope provided.

Thank you for your assistance in this matter.

Please let us know if you have any questions.

Very truly yours,

  
Karen M. DeJong  
SC Bar #70669

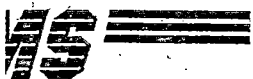
Enclosure

Cc: Yancey A. McLeod, Esq.  
Leath, Bouch & Seekings, LLP  
92 Broad Street  
Charleston, SC 29401  
Attorney for Respondent

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Time Accepted 4:22 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	10:30 AM Delivery Fee \$	Return Receipt Fee \$	Live Animal Transportation Fee \$
Weight lbs. ozs.	Sunday/Holiday Premium Fee \$	Total Postage & Fees \$ 22.95	
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