

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2014-CP-40-4666
Appellate Case No. 2016-001198

RECEIVED

DEC 14 2016

SC Court of Appeals

Kim MurphyAppellant,

v.

Richland-Lexington School District 5 Board of Trustees, Robert Gantt, and Bobby Bowers, in their individual capacities.Respondents.

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

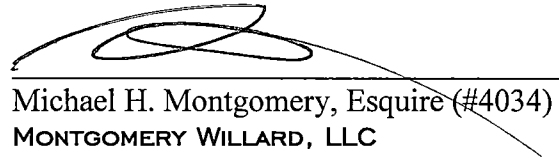
Respondent Robert Gantt proposes the following be included in the Record on Appeal:

1. Order Granting Respondents' Motions for Summary Judgment
2. Order Denying Appellant's Motion for Reconsideration
3. Complaint
4. Answer of Robert Gantt
5. Answer of Bobby Bowers
6. Transcript of Deposition of Kim Murphy for June 22, 2015
7. Transcript of Deposition of Kim Murphy for July 22, 2015
8. Transcript of Deposition of Kim Murphy for August 10, 2015
9. Transcript of Deposition of Kim Murphy for November 5, 2015
10. Transcript of Deposition of Robert Gantt
11. Transcript of Deposition of Bobby Bowers
12. Transcript of Deposition of William Roberts
13. Transcript of Deposition of Alan-Jon Zupan
14. Robert Gantt's Public Statement dated January 14, 2013
15. Robert Gantt's Public Statement dated January 28, 2013
16. Robert Gantt's Public Statement Dated March 19, 2013

17. Deposition of Ronnie L. Tyler pp. 75-76
18. Letter from Robert Gantt to Bobby Bowers dated December 20, 2012
19. Letter from Bobby Bowers to Robert W. Gantt dated January 11, 2013
20. Order Affirming the Appellant's Removal from the Board of Trustees, Case No. 2013-CP-40-1897
21. Order Dismissing Appellant's Motion for Reconsideration in Case No. 2013-CP-40-1897
22. Memo from Karl E. Fulmer Ed.D. to Herbert M. Berg, Ed.D. dated October 15, 2010 (JCL&A – K. Murphy010304)
23. Findings and Recommendations of G. Thomas Cooper, Jr., Hearing Officer Presiding dated March 14, 2013.
24. School Board Order of Removal Pursuant to *S.C. Code* §59-19-60 dated March 19, 2013

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

December 14, 2016



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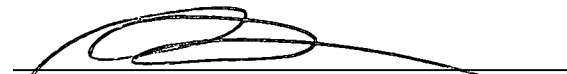
Kim MurphyAppellant,

v.

Richland-Lexington School District 5 Board of Trustees, Robert Gantt, and Bobby Bowers, in their individual capacities.Respondents.

CERTIFICATE OF COUNSEL

I hereby certify, as counsel of record in the above-captioned case, that the Designation submitted herewith contains no matter which is irrelevant to the appeal as required by Rule 209(c), SCACR.



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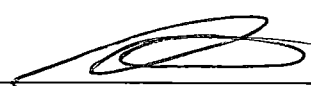
v.

Richland-Lexington School District 5 Board of Trustees, Robert Gantt, and Bobby Bowers, in their individual capacities.Respondents.

PROOF OF SERVICE

I hereby certify that I, the undersigned member of Montgomery Willard, LLC, have caused Respondent Robert Gantt's Initial Brief and Designation of Matter to be Included in the Record on Appeal by service of the same on Counsel for Appellant by depositing a copy of it in the United States Mail, postage prepaid, on December 14, 2016, addressed to J. Lewis Cromer, Esquire, J. Lewis Cromer and Associates, LLC , Post Office Box 11675, Columbia, South Carolina 29211 and by service on Respondent Bowers by depositing a copy of it in the United States Mail, postage prepaid, on December 14, 2016 addressed to Patrick J. Frawley, Esquire, Davis Frawley, LLC, P.O. Box 489, Lexington, South Carolina 29071,

(SIGNATURE FOLLOWS ON NEXT PAGE)



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Columbia, South Carolina
December 14, 2016

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December 14, 2016

Via Hand Delivery

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1120 Senate St.
Columbia, SC 29201

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SC Court of Appeals

Re: *Kim Murphy v Robert Gantt and Bobby Merle Bowers, in their individual capacities*
Appellate Case No. 2016-001198
Our File No: 2155804

Dear Ms. Kitchings:

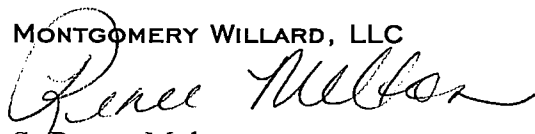
Enclosed please find the original and (3) copies of the Initial Brief of Respondent Robert Gantt and Respondent's Designation of Matter in the above-referenced matter. Also, enclosed are the original and (2) copies of the Proof of Service. Please file the originals and return the clocked copies to our courier. By copy of this letter, I am serving counsel of record with a copy of same.

Should you have any questions or concerns, please feel free to contact us. Thank you in advance for your assistance in this matter.

With kind regards, I am

Very truly yours,

MONTGOMERY WILLARD, LLC



S. Renee Melton
Paralegal to Michael H. Montgomery

The Honorable Jenny Abbott Kitchings

December 14, 2016

Page 2

MHM/srm

Enclosures

cc w/ encl: J. Lewis Cromer, Esq.
Patrick John Frawley, Esq.