

Greene, Diane

From: Johnnie Baxley <jwbaxley@wjlaw.net>
Sent: Thursday, January 19, 2017 11:09 AM
To: Greene, Diane
Cc: 'asteven@sccoast.net'
Subject: Ann Stevenson vs. Wal-Mart Stores, Inc. #2016-000790

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SC Court of Appeals

Ms. Greene,

I represent the Respondents on this claim pending before the Court of Appeals. The reason that I'm writing is to get some direction from you as to what filings need to be made or the procedure from this point forward.

Now that all of the Initial Briefs have been filed, the normal procedure would be for the Appellant to prepare the Record on Appeal, and then all parties would prepare their Final Briefs based upon that Record. However, I have filed a Motion Objecting to Materials Improperly Included in Appellant's Designation of Matter that has not yet been addressed. Obviously, the Court's ruling on that Motion will affect which materials would properly be included in the Record. To further complicate matters, the Appellant has filed an Amended Designation of Matter, but most of the arguments presented in my original Motion still apply. I do not know if the Court plans to rule on my Motion, if I need to file anything further, and what effect this will have on the time deadlines for the Appellant to submit the Record.

Additionally, the Appellant's Initial Brief and Reply Brief both contain references to materials that are subject to the Motion that will obviously need to be addressed.

I look forward to hearing from you regarding these issues and whether I need to make any additional filings.

WJC&B

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