

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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DEC 28 2016

SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

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

Kim Murphy.....Appellant,

v.

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

of whom

Bobby Merle Bowers and Robert Gantt are..... Respondents.

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

In addition to the matter proposed by the Appellant in her Designation of Matter, the Respondent Bobby Merle Bowers proposes the following be included in the Record on Appeal:

1. Order Granting Defendants' Motions for Summary Judgment, April 8, 2016, filed April 13, 2016.
2. Order Denying Plaintiff's Motion for Reconsideration (Form 4), May 24, 2016, filed May 31, 2016.
3. Complaint, July 28, 2014.
4. Answer of Bobby Bowers, September 24, 2014.

5. Answers of School Board and Robert Gantt, October 24, 2014.
3. Excerpts from the following Depositions:
 - A. Deposition of Kim Murphy (June 22, 2015), pp. 1, 47-53, 59-73, 61-73, 76-79, 87-92, 96-103, 105, 109-118, 125-131, 134-144, 148.
 - B. Deposition of Kim Murphy, Continuation (July 22, 2015), pp. 1, 14-30, 48-61, 65, 77-170, 229.
 - C. Deposition of Kim Murphy, Second Continuation (August 10, 2015), pp. 1, 57-65.
 - D. Deposition of Kim Murphy, Third Continuation (November 5, 2015), pp. 1, 56-57.
 - E. Deposition of Bobby Merle Bowers (December 18, 2015)' pp. 1, 9-11, 13, 17-23, 26, 28-32.
 - F. Deposition of William F. Roberts, Jr. (December 21, 2015), pp. 1, 8-9, 11-18, 24-32, 34-36, 39-59, 69-72, 76-77, 88-89, Deposition Exhibit 1 (Bates Numbered pp. ORS-072 to ORS-097, ORS-114 to ORS-119, and ORS-123 to ORS-142), and Deposition Exhibits 2, 3, 4, 5, 6, 10.
 - G. Deposition of Alan-Jon Zupan (December 21, 2015), pp. 1, 9-113, 20, 25, 27, 28, 37, 53.
 - H. Deposition of Ronnie L. Tyler (January 21, 2016), pp. 1, 6, 8, 13, 14, 18, 20-22, 73-77, 98-99, 103-104, 167-168, Deposition Exhibits 4 and 5.
4. Bowers Motion to Dismiss for Failure to State a Claim and For Summary Judgment, filed January 4, 2016.
5. Robert Gantt Motion for Summary Judgment, filed January 8, 2016.
6. School District Motion for Summary Judgment, filed on or about January 20, 2016.

I certify that this Designation of Matter to be Included in the Record on Appeal contains no matter which is irrelevant to this appeal.

Handwritten signature and initials in the bottom right corner, appearing to be 'R. #293' and 'AR'.

DAVIS FRAWLEY LLC

By: 

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ATTORNEYS FOR RESPONDENT BOWERS

Lexington, South Carolina
December 22, 2016



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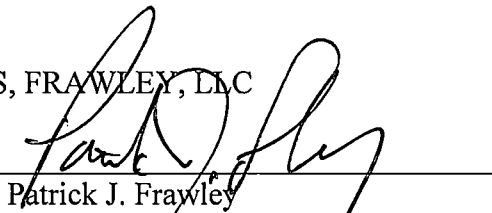
Bobby Merle Bowers and Robert Gantt are..... Respondents.

PROOF OF SERVICE

I certify that I have served the **Initial Brief of Respondent Bowers and Respondent Bowers' Designation of Matter to be Included in the Record on Appeal** on the Appellant, by depositing a copy of each in the United States Mail, postage prepaid, on the 22nd day of December, 2016, addressed to her attorney of record, J. Lewis Cromer, of J. LEWIS CROMER & ASSOCIATES, LLC, PO Box 11675, Columbia SC 29211, and on the Respondent Gantt, addressed to his attorney of record, Michael H. Montgomery, Esquire, MONTGOMERY WILLARD, LLC, PO Box 1186, Columbia SC 29211-1886.

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Lexington, South Carolina
December 22, 2016

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SC Court of Appeals

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December 22, 2016

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

RE: *Kim Murphy, Appellant, v. Richland-Lexington School District 5 Board of Trustees, Bobby Merle Bowers and Robert Gantt, Defendants, of whom Bobby Merle Bowers and Robert Gantt are the Respondents;*
Appellate Case No. 2016-001198; SCIRF Claim No. 67741; Our File No. 25712.34.

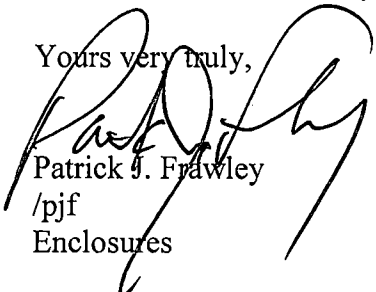
Dear Ms. Kitchings:

Enclosed, please find the original and one copy each of the Initial Brief of Respondent Bowers, Respondent's Designation of Matter to be Included in the Record on Appeal, and Proof of Service for the referenced appeal. Please file the originals, and return the copies to me, clocked in, in the enclosed self-addressed, stamped envelope.

By copy of this letter to the attorneys for the Appellant and the other Respondent Robert Gantt, I am serving them with copies of the enclosed documents as well.

Thank you in advance for your help.

Yours very truly,



Patrick J. Frawley
/pjf
Enclosures

cc: Michael H. Montgomery, Esquire
MONTGOMERY WILLARD, LLC
PO Box 1186
Columbia SC 29211-1886

The Honorable Jenny A. Kitchings
Clerk of Court

RE: *Kim Murphy, Appellant, v. Richland-Lexington School District 5 Board of Trustees,
Bobby Merle Bowers and Robert Gantt, Defendants, of whom Bobby Merle Bowers and
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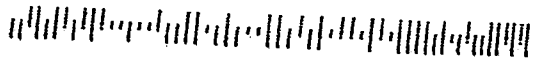
December 22, 2016

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cc: J. Lewis Cromer, Esquire
J. LEWIS CROMER & ASSOCIATES, LLC
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Via Email Only:

Tina M. Ramsey
Senior Claims Representative
Insurance Reserve Fund



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