

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

APPEAL FROM YORK COUNTY
S. JACKSON KIMBALL, SPECIAL CIRCUIT COURT JUDGE
Case No. 2015-CP-46-01409
Appellate Case No.: 2016-001921

IN RE:

Deborah Dereede Living Trust dated
December 18, 2013

Hugh Dereede and Tyre Dealer Network
Consultants, Inc.,

Respondents.

v.

Courtney Feeley Karp, Individually and
As Trustee of the Deborah Dereede Living
Trust dated December 19, 2013 and Michael
Fehily, as a qualified beneficiary of the
Deborah Dereede Living Trust dated
December 18, 2013,

Defendants,

Of which

Courtney Feeley Karp, Individually and
As trustee of the Deborah Dereede Living
Trust dated December 19, 2013 is the,

Appellant.

APPELLANT'S DESIGNATIONS

Pursuant to Rule 209, SCACR, Appellant proposes the following be included in the Record on Appeal. Unless otherwise stated, all items designated include exhibits and exclude proof of service, cover sheets, motion forms, and notices. Appellant reserves the right to include additional designations in connection with her initial reply brief or otherwise.

ORDERS

1. Order of Judge Kimball dated 6-9-2016, filed 6-15-2016 (merits)
2. Order of Judge Kimball dated 9-12-2016 (denying reconsideration)
3. Order of Judge Kimball dated 11-4-2016 (attorney's fee)
4. Order of Judge Kimball dated 6-11-2015 (denying motion on the pleadings)
5. Order of Judge Kimball dated 2-29-2016 (denying summary judgment)
6. Order of Judge Kimball dated 3-16-2016 (denying reconsideration on SJ)

PLEADINGS

7. Complaint, with Exhibit A (trust agreement), Exhibit B (email of 12-11-2014)
8. Answer, Removal, Motion to Dismiss, Affirmative Defenses dated 3-15-2015
9. Amended Answer dated 3-23-2015, omitting Exhibit A (excerpt from trust), including Exhibit B (Gettys letter 12-3-2014), Exhibit C (email dated 12-22-2014), and Exhibit D (emails of 12-11-2014)
10. Motion for Summary Judgment dated 9-2-2015, with Exhibits (Affidavit of Courtney Feeley-Karp dated 8-18-2015, Affidavit of Edward J., Ribadeneira dated 8-12-2015, and Answers to Requests to Admissions from Deerde dated 7-23-2015 and Tyre Dealer Network Consultants dated 7-23-2015)
11. Amended Motion for Summary Judgment filed 11-6-2015

12. Appointment of Trust Protector filed 2-26-2016 with signature pages
13. Second Amended Motion for Summary Judgment dated 2-17-2016 with Exhibit A (Nosal letter to Kennedy dated 11-2-2015), Exhibit B (stipulated facts), Exhibit C (confirmation of stipulated facts), Exhibit D (Report of Trust Protector dated 1-15-2016), and **excluding** Kennedy letter of 10-21-2015.
14. Affidavit of Alan Medlin dated 2-23-2016
15. Defendant Feeley Karp's Rule 59(e) Motion for Reconsideration filed 3-10-2016
16. Amended Motion to Reconsider dated 6-21-2016
17. Return to Affidavit of Attorney Fees dated 6-30-2016

TRIAL COURT EXHIBITS

18. Plaintiff's Exhibits 5, 6, 11
19. Defendant's Exhibit 1

TRANSCRIPTS

Transcript of Proceedings dated April 19, 2016:

- Tr. P. 6, line 22 – p. 93, line 16;
- Tr. P. 99, line 3 – p. 100, line 18;
- Tr. P. 103, lines 1-22;
- Tr. P. 110, line 4 – 13;
- Tr. P. 122, lines 21-24;
- Tr. P. 123, line 7 – p. 124, line 12;
- Tr. P. 129, lines 5 – 24;

- Tr. P. 134, Lines 1 – 16;
- Tr. P. 136, lines 20-22;
- Tr. P. 138, lines 1- 21;
- Tr. P. 141, lines 1-17;
- Tr. P. 143, lines 7 – 19;
- Tr. P. 155, lines 23-24;
- Tr. P. 157, lines 1-4;
- Tr. P. 158, line 8;
- Tr. P. 159, lines 6-7; lines 13-17
- Tr. P. 166, lines 5-24
- Tr. P. 168, line 15 – p. 169, line 19;
- Tr., p. 170, lines 5-14;
- Tr. P. 171, lines 4-6;
- Tr. P. 172, lines 12-13;
- Tr. P. 174, line 22 – p. 175, line 4;
- Tr. P. 177, lines 4 – p. 178, line 23;
- Tr. P. 181, lines 14-17;
- Tr. P. 183, lines 3-7;
- Tr. P. 185, lines 18-21;
- Tr. P. 190, line 2 – p. 23;
- Tr. P. 204, line 9 – p. 231, line 6;
- Tr. P. 236, line 17;
- Tr. P. 237, line 1;

- Tr. P. 245, lines 13 – 19.

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

Respectfully submitted,

Handwritten signature of Desa Ballard in cursive script, with the words "by Harve" written in smaller cursive below the main signature.

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ATTORNEYS FOR APPELLANT

March 1, 2017

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Of which

Courtney Feeley Karp, Individually and
As trustee of the Deborah Dereede Living
Trust dated December 19, 2013 is the,

Appellant.

CERTIFICATE OF SERVICE

I, Beth Cogan, an employee with Ballard & Watson, Attorneys at Law, do hereby certify
that on March 1, 2017, I served a copy of the **Appellant's Initial Brief** and **Appellant's**

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Designation of Matter in the above-captioned case on the following individuals by electronic mail and by standard US Mail, with sufficient first-class postage affixed, addressed as follows:

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Beth Cogan, Paralegal

March 1, 2017
West Columbia, South Carolina