

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Jean H. Toal, Circuit Court Judge
Consolidated C.A. No. 2015-CP-10-2389

Appellate Case No.: 2016-002525

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Amy Garrard and Lee Garrard, Guardians Ad Litem for R.C.G., a Minor; Dean Frailey and Kathryn Frailey, Guardians Ad Litem for C.F., a Minor; Richard Nelson and Cheryl Nelson, Guardians Ad Litem for D.G.N., a Minor; Adam Olsen Ackerman; and AEP, III, and Eugene Walpole,..... Plaintiffs-Appellants,

v.

Charleston County School District, Kevin Clayton, Axxis Consulting Company, and Jones Street Publishers, LLC,..... Defendants,

Of whom

Jones Street Publishers, LLC, is the Respondent.

**DESIGNATION OF MATTER BY RESPONDENT
JONES STREET PUBLISHERS, LLC
And
OBJECTION TO DESIGNATIONS OF APPELLANTS**

Respondent Jones Street Publishers, LLC proposes that the following material be included in the Record on Appeal:

1. Plaintiff A.E.P.'s Amended Complaint filed June 14, 2016;
2. Plaintiff Walpole's Amended Complaint filed June 14, 2016;
3. Defendant Jones Street Publishers, LLC's Amended Answer and Counterclaim to Plaintiff A.E.P.'s Amended Complaint filed June 27, 2016;
4. Defendant Jones Street Publishers, LLC's Amended Answer and Counterclaim to Plaintiff Walpole's Amended Complaint filed June 27, 2016;
5. Form 4 Orders Denying Defendant Jones Street's Motions to Dismiss filed on July 7, 2015;
6. Defendant Jones Street Publishers, LLC's Motions for Summary Judgment filed April 29, 2016;
7. Affidavit of Chris Haire in Support of Defendant Jones Street Publishers, LLC's Motions for Summary Judgment and Attached Exhibits filed April 29, 2016;
8. Affidavit of Paul Bowers in Support of Defendant Jones Street Publishers, LLC's Motions for Summary Judgment and Attached Exhibits filed April 29, 2016;
9. Defendant Jones Street Publishers, LLC's Memoranda in Support of Motions for Summary Judgment and Attached Affidavits and Exhibits filed October 11, 2017;
10. Plaintiffs' Memorandum in Opposition to Motions for Summary Judgment (unfiled, but submitted to trial court on October 11, 2016);
11. Order Granting Defendant Jones Street Publishers, LLC's Motions for Summary Judgment filed November 18, 2016;
12. Transcript of Hearing Held on October 11, 2016;
13. Deposition of Adam Ackerman dated August 3, 2015 – Pages 52, 69-71, and 76;
14. Deposition of Conner Frailey dated August 3, 2015 – Page 77;
15. Deposition of Robert Garrard dated August 4, 2016 – Pages 32-33, 39-42, and 47;
16. Deposition of Reece Moore dated August 3, 2015 – Pages 77-78, 83-84, 103-105, 115, and 130;

17. Deposition of Daniel Nelson dated August 4, 2015 – Pages 85, 88-89, 92-95, and 105;
18. Deposition of Arthur Perry dated August 4, 2015 – Pages 44-45, 61-63, 65-66, and 72;
19. Deposition of Eugene Walpole dated December 16, 2015 – Pages 65, 67, 78-79, 91, 116-123, and 129;
20. Video of Nancy McGinley’s Press Conference held on October 21, 2014; and
21. Exhibit A to Defendant Jones Street Publishers, LLC’s Return to Plaintiffs’ Motion for Reconsideration of Order Compelling Discovery (consisting of Plaintiffs’ social media posts).

Pursuant to Rule 209(c) of the South Carolina Appellate Court Rules, I certify that this Designation contains no matter which is irrelevant to this appeal.

Objections to Appellants’ Designations

Respondent objects to inclusion of the following matter designated by Appellants for the record on appeal, on the ground that such matter was not presented to the Circuit Court:

1. Deposition of Adam Ackerman dated August 3, 2015 – Pages 15-16, 24-26, 34-39, and 41-42;
2. Deposition of Conner Frailey dated August 3, 2015 – Pages 19, 22-23, 26-27, 36-40, 45-48, and 51-52;
3. Deposition of Robert Garrard dated August 4, 2016 – Pages 15-17, 20, 25-26, and 28;
4. Deposition of Reece Moore dated August 3, 2015 – Pages 29, 33-38, 41-42, 47-48, 57-58, 61-62, 65-67, and 76;
5. Deposition of Daniel Nelson dated August 4, 2015 – Pages 26-27, 30, 34, 36, 38-40, 42-45, 47, 54, 57, 59-60, 63, 68-69, 72-74, and 80;
6. Deposition of Arthur Perry dated August 4, 2015 – Pages 18-20, 23, 28-29, and 40-42;
7. Deposition of Eugene Walpole dated December 16, 2015 – except those pages referenced above in paragraph 15 of Respondent’s designation;

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8. Deposition of Michael Miller dated March 20, 2015;
9. Deposition of Nancy McGinley dated August 8, 2016; and
10. Deposition of Judith Peterson dated March 20, 2015.

Respectfully submitted,



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Dated: June 12, 2017

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