

IN THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge
Case No. 2008-CP-23-5739
Appellate Case No.: 2017-000690

Andrew P. (Andy) Ballard, Respondent,

v.

Tim Roberson, Rick Thoennes, Rick Thoennes, III,
and Warpath Development, Inc., is Petitioners,

Of Whom Tim Robertson is Appellant.

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

Joshua L. Howard (SC Bar No.: 70260)
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SC Court of Appeals

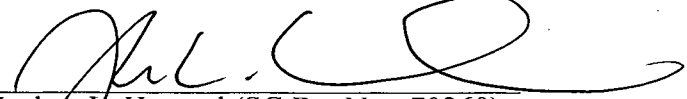
James W. Fayssoux, Sr., Esq.
209 E. Washington Street
Greenville, SC 29601
Attorney for Petitioners Rick Thoennes and Rick Thoennes, III

Appellant proposed the following to be included in the Record on Appeal:

1. Hearing Transcript of August 6, 2013;
2. Hearing Transcript of January 27, 2017;
3. Motion for Relief from the Court's Judgment filed January 13, 2017;
4. Receivers Motion to Compel filed August 29, 2016;
5. Respondent's Motion to Modify the Order of Receivership filed September 21, 2016;
6. Charging Order filed April 23, 2014;
7. Order Appointing Receiver filed April 23, 2014;
8. Order Denying Defendant Roberson's Motion for Relief from Judgment filed February 17, 2017;
9. Order Modifying Order For Receivership filed February 17, 2017
10. Order Transferring Defendant Roberson's LLC Interests to Receiver filed February 17, 2017;
11. Affidavit of Tim Roberson dated January 12, 2017 with Exhibits A;
12. Affidavit of Tim Roberson dates January 27, 2017;
13. Supplemental Exhibit to Tim Roberson's January 12, 2017 affidavit filed January 27, 2017.

Respectfully submitted,

WOMBLE CARLYLE SANDRIDGE & RICE LLP



Joshua L. Howard (SC Bar No.: 70260)

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864-255- 5406

Attorneys for Appellant, Tim Roberson

This 20th day of September, 2017
Greenville, South Carolina

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Of Whom Tim Robertson is Appellant.

PROOF OF SERVICE

This is to certify that I have this day served counsel for the Respondent in the foregoing matter with a copy of the APPELLANT'S DESIGNATION OF MATTER OT BE INCLUDED IN THE RECORD ON APPEAL by depositing the same in the United States Mail with adequate postage affixed thereon to ensure delivery, address as follows:

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Counsel's Signature Block on Next Page

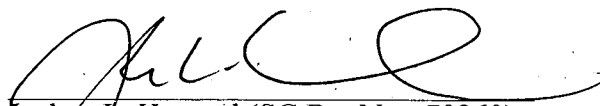
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Respectfully Submitted,

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This 20th day of September, 2017
Greenville, South Carolina