

IN THE STATE OF SOUTH CAROLINA
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In The Court of Appeals

APPEAL FROM BARNWELL COUNTY
Court of Common Pleas
Doyet A. Early, III, Circuit Court Judge

RECEIVED
OCT 11 2017
SC Court of Appeals

Appellate Case No. 2017-00068

Martha M. Fountain and Curtis Fountain, Plaintiffs,

v.

Fred's, Inc., and Wildevco, LLC Respondents,

v.

Tippins-Polk Construction, Inc. and Rhoad's Excavating Services, LLC..... Third Party
Defendants.

Of Whom Tippins-Polk Construction, Inc. is the Appellant.

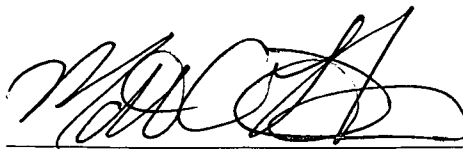
RESPONDENT FRED'S, INC.'S DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

Respondent Fred's, Inc. proposes the following to be included in the Record on Appeal:

1. Amended Third-Party Complaint, Filed November 6, 2013;
2. Respondent Fred's, Inc.'s Deposition Designations as utilized at trial;
3. Affidavit of Denise M. Brockwell and Invoice Details Report; and
4. Respondent Fred's, Inc.'s Memorandum in Opposition of Third-Party Defendant's Motion to Make Additional Findings and Motion to Reconsider and/or Amend;

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

October 11, 2017



Matthew C. LaFave, SC Bar No. 75365
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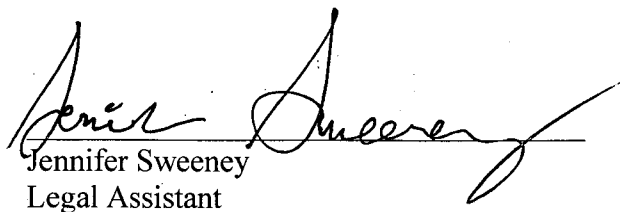
Tippins-Polk Construction, Inc. and Rhoad's Excavating Services, LLC Third Party
Defendants.

Of Whom Tippins-Polk Construction, Inc. is the Appellant.

PROOF OF SERVICE

I certify that I have served the Initial Brief of Respondents and Designation of Matter to be Included in the Record on Appeal on the Appellant by depositing a copy of it in the United States Mail, postage prepaid, on October 11, 2017, addressed to its attorney of record, Morgan S. Templeton, Esquire, Post Office Box 1200, Charleston, South Carolina 29402.

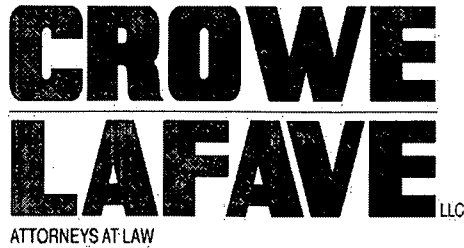
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Via Hand Delivery

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

Re: Martha M. Fountain and Curtis Fountain v. Fred's, Inc., and Wildevco, LLC v.
Tippins-Polk Construction, Inc.
Case No. 2017-00068

Dear Ms. Kitchings:

Please find enclosed for filing an original and one copy of the Initial Brief of Respondents, Designation of Matter to be Included in the Record on Appeal, and Proof of Service in the above-referenced matter. Once filing is complete, please return the clocked copies to the individual standing before you.

By copy of this correspondence to the attorney for the Appellant, I am hereby serving upon Mr. Templeton a copy of the Initial Brief of Respondents and Designation of Matter to be Included in the Record on Appeal. Should you have any questions or concerns, please do not hesitate to contact us.

Sincerely yours,

A handwritten signature in black ink, appearing to read "MCL", written over a horizontal line.

Matthew C. LaFave

MCL/dmb
Enclosures

cc: Morgan S. Templeton, Esquire
Regina H. Lewis, Esquire