

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas  
R. Keith Kelly, Judge

RECEIVED

OCT 26 2017

SC Court of Appeals

Case No. 2017-001009

Caitlyn Langham.....Plaintiff,

v.

Officer Russell Porter, City of Spartanburg,  
And Wal-Mart Stores, Inc.....Respondents,

**RESPONDENT WAL-MART STORES, INC.'S DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL**

Respondent Wal-Mart Stores, Inc. proposes the following be included in the Record on Appeal:

1. Plaintiff's Complaint
2. Defendant Wal-Mart Stores, Inc.'s Answer to Plaintiff's Complaint
3. Walmart's Motion to Dismiss Pursuant to Rule 12(b)(6), filed May 16, 2016
4. Plaintiff's Opposition to Walmart's Motion to Dismiss, dated August 24, 2016
5. Order Granting Walmart's Partial Motion to Dismiss, filed November 15, 2016
6. Plaintiff's Motion for Reconsideration, filed November 21, 2016
7. Order Denying Plaintiff's Motion for Reconsideration, filed March 22, 2017
8. Motion to Dismiss and/or Motion for Summary Judgment by Defendants Porter, City of Spartanburg, and Spartanburg Police Department, filed December 8, 2016

9. Memorandum in Support of Motion for Summary Judgment by Defendants Porter, City of Spartanburg, and Spartanburg Police Department, including Exhibits 1-4, filed February 24, 2017
10. Opposition to Defendants Officer Russel Porter, City of Spartanburg and Spartanburg Police Department, including Exhibit 1-3, filed February 28, 2017
11. Order Granting Summary Judgment to Defendants Officer Russel Porter, City of Spartanburg and Spartanburg Police Department, filed March 23, 2017
12. Walmart's Motion for Summary Judgment, filed May 15, 2017
13. Response Opposition to Defendant Walmart's Motion for Summary Judgment, filed June 19, 2017
14. Order Granting Defendant Walmart's Motion for Summary Judgment, filed July 14, 2017
15. Plaintiff's Motion for Reconsideration, filed July 20, 2017
16. Order Denying Plaintiff's Motion for Reconsideration, filed October 3, 2017
17. Excerpt from Ronnee Miller's Deposition, January 18, 2017:  
     Page(s) 11-14
18. Excerpts from Langham's Criminal Trial Transcript, September 17, 2014:  
     Page(s) 8-9  
             22-23
19. Excerpt from Plaintiff's Deposition, January 18, 2017  
     Page(s) 12-14

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



Lee Ellen Bagley, SC Bar No. 77672  
 Randi Lynn Roberts, SC Bar No. 78888  
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 Columbia, South Carolina 29204  
 803.790.8838

*Attorneys for Respondent Wal-Mart Stores Inc.*

October 26, 2017

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**PROOF OF SERVICE**

I do hereby certify, on this 26<sup>th</sup> day of October, 2017, that a copy of the foregoing **Respondent Wal-Mart, Inc.'s Initial Brief and Designation of Matter to be Included in the Record on Appeal** was served by depositing a copy of the same in the United States Mail, first-class, postage prepaid, addressed to counsel of record as follows, Donald L Smith, 122 N. Main Street, Anderson, South Carolina 29621 and James D. Jolly, Jr., Esquire, 1805 North Blvd. Anderson, South Carolina 29622

  
Kelli F. Hall, Paralegal

Columbia, South Carolina



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October 26, 2017

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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SC Court of Appeals

**Re: Caitlyn Langham v. Officer Russell Porter, City of Spartanburg & Wal-Mart, Inc.**  
**Case No : 2017-001009**

Dear Clerk Kitchings:

Enclosed for filing please find the original and two (2) copies of **Respondent Wal-Mart, Inc.'s Initial Brief, Designation of Matter to be Included in the Record on Appeal and Proof of Service**. We would appreciate you filing the original with the Court and returning the clocked copy for our records to the courier.

By copy of this letter, I herewith serve all counsel of record with same. Should you have any questions or need additional information please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelli", written over a large, stylized flourish.

Kelli F. Hall  
Paralegal

/kfs

Enclosures

cc: Donald L. Smith, Esquire  
James D. Jolly, Jr., Esquire