

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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DEC 04 2017

SC Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

Case No. 2017-CP-32-00397

Robert F. Berry.....Respondent

vs.

Scott A. Spang, Wells Fargo Clearing Services, LLC,.....Appellants  
f/k/a Wells Fargo Advisors, LLC, Wachovia Securities  
Financial Holdings, LLC, Wells Fargo & Company, and  
Wells Fargo Bank, N.A.

APPELLANTS' DESIGNATION OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL

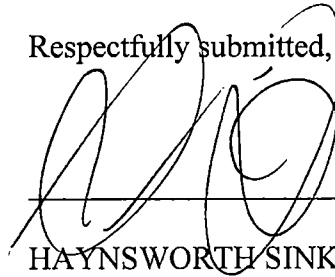
Appellants propose the following to be included in the Record on Appeal:

1. Respondent's Summons and Complaint, filed February 2, 2017;
2. Respondent's Amended Complaint, filed February 23, 2017;
3. Appellants' Motion to Dismiss or Stay Pending Arbitration, filed April 12, 2017;
4. Appellants' Memorandum in Support of Motion to Dismiss or Stay Pending Arbitration with Exhibits 1 and 2, filed April 12, 2017;
5. Appellants' Amended Motion to Dismiss or Stay Pending Arbitration, filed April 27, 2017;
6. Respondent's Memorandum in Opposition to Motion to Dismiss or Stay Pending Arbitration with Exhibits 1-6, filed June 1, 2017;
7. Hearing Transcript from Hearing on Motion to Dismiss, held June 1, 2017;

8. Order Denying Motion to Dismiss or Stay Pending Arbitration and Motion for a Protective Order and Stay of Discovery, filed June 21, 2017;
9. Appellants' Motion for Reconsideration or Amendment of the Court's June 21, 2017 Order pursuant to SCR 59(e) and/or SCR 60 with Exhibits 1-3, filed July 6, 2017;
10. Respondent's Response to Appellant's Motion for Reconsideration or Amendment of the Court's June 21, 2017 Order and Motion to Strike, filed July 17, 2017;
11. Order Denying Motion for Reconsideration and Granting Request for Extension to File Responsive Pleading, filed July 25, 2017;
12. Notice of Appeal and Proof of Service, filed August 25, 2017.

Counsel for Appellants certify that this Designation contains no matter that is irrelevant to this appeal.

Respectfully submitted,



HAYNSWORTH SINKLER BOYD, P.A.

Adam N. Yount, SC Bar No. 76342  
134 Meeting Street, 3<sup>rd</sup> Floor  
Charleston, SC 29401  
Telephone: (843) 720-4484  
ayount@hsblawfirm.com

Sarah P. Spruill, SC Bar No. 68337  
1 North Main Street, 2<sup>nd</sup> Floor  
Greenville, SC 29601  
Telephone: (864) 240-3200  
sspruill@hsblawfirm.com

Attorneys for Appellants

Date: November 30, 2017

THE STATE OF SOUTH CAROLINA  
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Securities Financial Holdings, LLC, Wells Fargo &  
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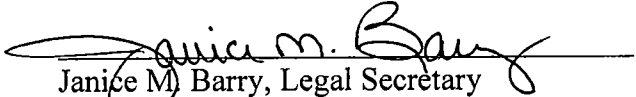
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PROOF OF SERVICE

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I, the undersigned employee of Haynsworth Sinkler Boyd, P.A., do hereby certify that I have this 30th day of November, 2017, caused the forgoing *Initial Brief of Appellants and Designation of Matter to be Included in the Record on Appeal* to be served via U.S. mail, postage prepaid, on counsel of record at the address shown below:

Mitchell Willoughby  
Elizabeth Zeck  
Chad N. Johnston  
Willoughby & Hoeffler, P.A.  
P.O. Box 8416  
Columbia, SC 29202-8416

  
Janice M. Barry, Legal Secretary  
Haynsworth Sinkler Boyd, P.A.  
1 North Main Street, 2<sup>nd</sup> Floor  
Greenville, SC 29601  
(864) 240-3223

Haynsworth  
Sinkler Boyd, P.A.

ATTORNEYS AND COUNSELORS AT LAW

ONE NORTH MAIN, 2ND FLOOR (29601-2772)  
POST OFFICE BOX 2048 (29602-2048)  
GREENVILLE, SOUTH CAROLINA  
TELEPHONE 864.240.3200  
FACSIMILE 864.240.3300  
www.hsblawfirm.com

SARAH P. SPRUILL  
ATTORNEY  
DIRECT DIAL NUMBER 864.240.3220  
sspruill@hsblawfirm.com

November 30, 2017

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SC Court of Appeals

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

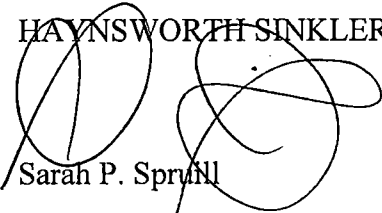
Re: Robert F. Berry v. Scott A. Spang, Wells Fargo Clearing Services, LLC f/k/a Wells Fargo  
Advisors, LLC, Wachovia Securities Financial Holdings, LLC, Wells Fargo & Company,  
and Wells Fargo Bank, N.A.  
Appellate Case Number 2017-001690  
HSB File No.: 31686.0261

Dear Ms. Kitchings:

Enclosed herewith for filing is an original and one (1) copy of the Initial Brief of Appellants Scott A. Spang, Wells Fargo Clearing Services, LLC, et al., and Designation of Matter to be Included in the Record on Appeal regarding the above-referenced case together with a Proof of Service. Please file the originals and return a clocked copy to me in the enclosed self-addressed stamped envelope.

Sincerely yours,

HAYNSWORTH SINKLER BOYD, P.A.

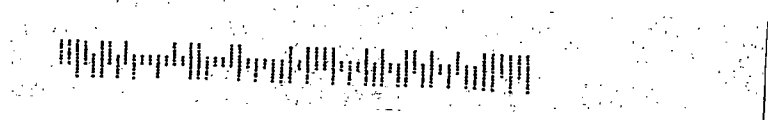
  
Sarah P. Spruill

SPS/jmb  
Enclosures

cc: Mitchell Willoughby  
Elizabeth Zeck  
Chad N. Johnston



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Haynsworth  
Sinkler Boyd, PA.

ATTORNEYS AND COUNSELORS AT LAW

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The Honorable Jenny Abbott Kitchings  
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