

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

Lisa Lee Smith, Special Referee

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Appellate Case No. 2017-002608  
Case No. 2014-CP-32-02795

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**RECEIVED**  
JAN 19 2018  
SC Court of Appeals

Federal National Mortgage Association("Fannie Mae"), a corporation organized and existing under the laws of the United States of America, Respondent,  
v.

D. Randolph Whitt and Pearce W. Fleming, Defendants.

Of whom D. Randolph Whitt is the Appellant.

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DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL

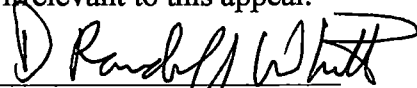
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Appellant proposes the following be included in the Record on Appeal:

1. Order filed November 27, 2017 (Jury Trial, order appealed from);
2. Order filed June 11, 2015 (Order of Reference);
3. Order filed May 6, 2016 (Judgment of Foreclosure);
4. Order filed August 3, 2016 (Order Vacating Judgment of Foreclosure);
5. Order filed November 30, 2016(Order Allowing Additional Evidence);
6. Order filed April 10,2017 (Order on Summary Judgment);
7. Complaint and FIP notice dated July 29, 2014;
8. Lis Pendens dated July 29, 2014;
9. Amended Answer and Counterclaims dated March 27, 2015;
10. Respondent's Reply to Counterclaims dated April 2, 2015
11. Motion Pursuant to Rule 59(e) and Rule 60 filed June 2, 2016
12. Respondent's Return to Appellant's motion, filed June 9, 2016;
13. Affidavit of D. Randolph Whitt executed June 1, 2016 with Exhibits;
14. Affidavit of D. Randolph Whitt executed November 14, 2016 with Exhibits ;
15. Affidavit of D. Randolph Whitt executed December 21, 2016 with Exhibits ;

16. Record of Hearing with Exhibits filed May 6, 2016 (Respondent's first affidavit of debt);
17. Respondent's affidavit filed August 22, 2016 (Respondent's second affidavit of debt- the secret one)
18. Respondent's affidavit filed October 27, 2016 (Respondent's third affidavit of debt);
19. Affidavit of Attorney's fees executed November 15, 2016 (Second fee affidavit)
20. Respondent's affidavit filed December 12, 2016 (Respondent's fourth affidavit of debt);
21. Respondent's Motion for Summary Judgment filed August 29, 2016.
22. Appellant's Memorandum in Opposition to Summary Judgment filed November 16, 2016;
23. Appellant's Motion to Transfer to the Jury Roster filed September 6, 2017;
24. Respondent's Response filed September 14, 2017;
25. Appellant's Reply to Respondent's response filed September 15, 2017;
26. Proposed order submitted by Appellant on transfer to Jury Roster
27. Proposed order submitted by Respondent on transfer to Jury Roster
28. Notice of Appeal and Proof of Service

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



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January 19, 2018

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PROOF OF SERVICE

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I certify that I have served the Appellant's Initial Brief and the Designation of Matter to be Included in the record on Appeal on Respondents listed above by depositing a copy of it in the United States Mail, postage prepaid, on January 19, 2016, addressed to their attorney of record, Magalie A. Creech, Esq.'PO Box 41489, Charleston, SC 29423. A copy was also mailed on January 19, 2016 to Pearce W. Fleming at 3723 Linwood Rd., Columbia, SC 29205-2545.



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January 19, 2018