

STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

FEB 02 2018

SC Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

The Honorable Thomas A. Russo, Circuit Court Judge

Appellate Case No. 2017-002429

Desa Ballard Appellant/Respondent,

v.

Newberry County..... Respondent/Appellant.

DESIGNATION OF APPELLANT BALLARD¹

Reserving rights to provide additional and/or counter-designations in response to any filings by Respondent/Appellant Newberry County, pursuant to Rule 209, Appellant Ballard designates the following material to be included in the Record on Appeal.

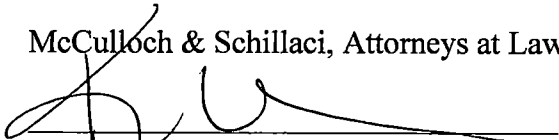
1. Second Amended Order dated November 17, 2017.
2. Order Granting Plaintiff's Motion to Amend Judgment dated November 17, 2017.
3. Plaintiff's Reply to Defendant's Response to Plaintiff's Motion to Amend Amended Judgment filed November 17, 2017.
4. Order Denying Plaintiff's Motion for Reconsideration and to Amend Judgment and Granting Defendant's Motion to Alter or Amend the Judgment dated October 24, 2017.

¹ Ballard will likely have counter-designations after receiving the initial brief of Respondent/Appellant Newberry County. These designations relate only to Ballard's appeal.

5. Order (Judge Russo) dated July 7, 2017.
6. Plaintiff's Motion to Amend Amended Judgment filed November 2, 2017.
7. Plaintiff's Reply to Motion to Alter or Amend the Judgment filed August 21, 2017.
8. Plaintiff's Motion for Reconsideration and To Amend Judgment filed July 24, 2017.
9. Amended Order dated October 24, 2017.
10. Transcript of Trial Proceedings pp. 4-20, 22-35, 37-38, 40, 42-43, 63-70, 75-79, 81, 88-90, 97-101, 106-108, 111-117, 121-125, 160-161, 163, 175, 177-181.
11. Plaintiff's trial exhibits 1, 1A, 2, 7, 8, 9, 12, 13, 14, 15, 16, 18, 21, 22, 23, 24, 25.
12. Plaintiff's Complaint.
13. Defendant's Answer.
14. Affidavit of Attorney Fees and Costs.

I certify by my signature below that the designations above contain no matter which is irrelevant to the issues on appeal.

McCulloch & Schillaci, Attorneys at Law



Joseph M. McCulloch Jr. (SC Bar No. 3760)
Kathy R. Schillaci (SC Bar No. 17248)
1513 Hampton Street
Post Office Box 11623
Columbia, South Carolina 29211
Telephone 803.779.0005
Facsimile 803.796.0666
joe@mccullochlaw.com
kathy@mccullochlaw.com

ATTORNEYS FOR APPELLANT/RESPONDENT

February 2, 2017

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

The Honorable Thomas A. Russo, Circuit Court Judge

RECEIVED

FEB 02 2018

SC Court of Appeals

Appellate Case No. 2017-002429

Desa Ballard Appellant/Respondent,

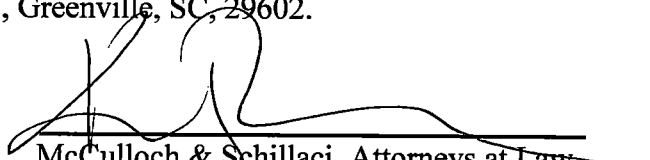
v.

Newberry County Respondent/Appellant.

PROOF OF SERVICE

I certify that I have served the **APPELLANT/RESPONDENT'S INITIAL BRIEF, DESIGNATION OF MATTERS, AND CERTIFICATION** by depositing one copy of it in the United States Mail, first-class mail, postage prepaid, on February 2, 2018, addressed to Boyd Benjamin Nicholson, Jr., P.O. Box 2048, Greenville, SC 29602 and Mrs. Sarah Patrick Spruill, P.O. Box 2048, Greenville, SC, 29602.

February 2, 2018



McCulloch & Schillaci, Attorneys at Law
Joseph M. McCulloch (SC Bar No. 3760)
Kathy R. Schillaci (SC Bar No. 17248)
Post Office Box 11623
1513 Hampton Street
Columbia, South Carolina 29201
Telephone: (803) 779-0005
Fax: (803) 779-0666
joe@mccullochlaw.com
Attorney for Appellant/Respondent