

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM PICKENS COUNTY  
In the Court of Common Pleas

The Honorable Perry H. Gravely, Circuit Court Judge

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**RECEIVED**  
FEB 27 2018  
SC Court of Appeals

Appeal No.: 2017-002347

EPS Advisors, LLC ..... Respondent/Appellant

v.

Jan Fredman and Clemson-EPS Advisors, LLC.....Appellant/Respondent

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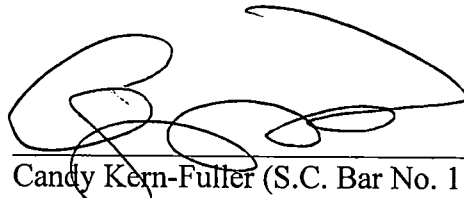
**DESIGNATION OF MATTERS**

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Respondent/Appellant designates the following items for inclusion in the Record on Appeal:

- 1) Complaint;
- 2) Answer;
- 3) Trial transcript pp. 4-9, 27-28, 50-51, 60-61, 86, 113-114, 147, 150-151, 160-162, 166, 177, 181-182, 249, 261-263;
- 4) Plaintiff's Trial Exhibit 1, pp. 13-14, 18, 25-27, 37-38;
- 5) Plaintiff's Trial Exhibit 1A, Fredman Deposition Exhibits;
- 6) Plaintiff's Trial Exhibit 5;
- 7) Order of the Honorable Perry Gravely dated May 19, 2017;
- 8) Appellants/Respondents' Motion for Reconsideration;
- 9) Order of the Honorable Perry Gravely on Reconsideration dated November 2, 2017;
- 10) Appellants/Respondents' Notice of Appeal;
- 11) Respondent/Appellant's Notice of Appeal;

**IN ACCORDANCE WITH THE SOUTH CAROLINA RULES OF APPELLATE PROCEDURE, COUNSEL FOR RESPONDENT/APPELLANT AFFIRMS THAT THESE DESIGNATIONS ONLY CONTAIN NECESSARY MATERIALS.**



Candy Kern-Fuller (S.C. Bar No. 11392)

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February 20, 2018

**ATTORNEY FOR  
RESPONDENT/APPELLANT**

THE STATE OF SOUTH CAROLINA  
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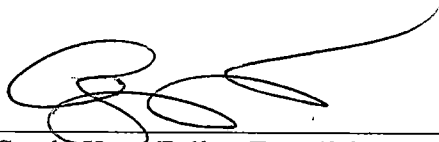
Jan Fredman and Clemson-EPS Advisors, LLC.....Appellant/Respondent

**PROOF OF SERVICE**

I certify that pursuant to SCRAP 208, on this 20<sup>th</sup> day of February, 2018, I filed and served a copy of the undersigned Respondent/Appellant's Initial Brief and Designation of Matters via U.S. Certified Mail upon

The Honorable Jenny Abbott Kitchens  
P.O. Box 11629  
Columbia, SC 29211

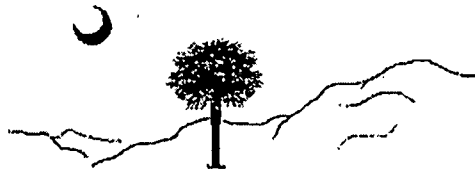
Larry C. Brandt, Esq.  
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February 20, 2018

**ATTORNEY FOR RESPONDENT/  
APPELLANT, EPS ADVISORS, LLC**



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February 20, 2018

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:** EPS Advisors, LLC v. Jan Fredman and Clemson-EPS Advisors, LLC  
Case Number: 2009-DR-04-1308  
Appellate Case 2017-002347

Dear Ms. Kitchens:

I apologize for my calendaring oversight in this matter. Pursuant to your letter of February 9, 2018, and SCRAP 208, please find enclosed the Respondent/Appellant's Initial Brief, Designation of Matters and Proof of Service for the same.

Please advise as to whether you require anything further in this matter.

With kindest regards,

Candy M. Kern-Fuller, Esq.

cc: Mr. Larry Brandt, Esq.  
clients

**Upstate Law Group, LLC**

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Howard E. Sutter, III, Esq.  
Candy M. Kern-Fuller, Esq.  
Christopher Jackson, Esq.  
Nathaniel P. Molle, Esq.

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FEB 27 2018  
SC Court of Appeals

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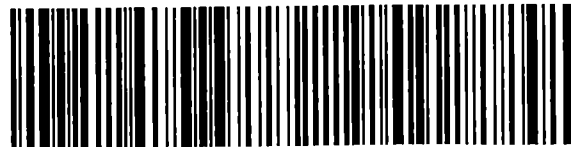
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SHIP TO:

*The Honorable  
Jenny Abbott Kitchens  
SC Court of Appeals*

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COLUMBIA SC 29211-1629

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