

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
J.C. Nicholson, Jr., Circuit Court Judge

Case No. 2015-CP-10-3919

Appellate Case No. 2017-002032

Athan Fokas.....Respondent/Appellant,

v.

Phillip Ferderigos, Spiros Ferderigos,
and Jacob Ferderigos..... Defendants,

of Whom

Spiros Ferderigos and Philip Ferderigos are.....Appellants/Respondents,

And

Jacob Ferderigos isRespondent.

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

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SC Court of Appeals

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Other counsel of Record:

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

1. Order Granting Plaintiff Partial Summary Judgment filed August 31, 2017;
2. First Court Order regarding Plaintiff's Motion to Strike Answers and Counterclaims of Spiros Ferderigos and Phillip Ferderigos filed on December 16, 2015;
3. Second Court Order regarding Plaintiff's Motion to Strike Answers and Counterclaims of Spiros Ferderigos and Phillip Ferderigos filed January 28, 2016;
4. Consent Order regarding Plaintiff's Motion to Strike Answer and Counterclaims of Respondent Jacob Ferderigos filed April 15, 2016;

5. Summons and Complaint of Athan Fokas filed July 15, 2015;
6. Spiro Ferderigos' Answer, Affirmative Defenses and Counterclaims and Exhibits filed October 1, 2015;
7. Phillip Ferderigos Answer, Affirmative Defenses and Counterclaims and Exhibits filed October 1, 2015;
8. Athan Fokas' Motions to Strike Answer and Counterclaims of Spiros Ferderigos and Phillip Ferderigos filed on October 26, 2015;
9. Phillip Ferderigos' Response in Opposition to Motion to Strike and Exhibits filed on December 3, 2015;
10. Athan Fokas' Memorandum in Support of his Motion to Strike filed on December 4, 2015;
11. Spiros Ferderigos' Memorandum in Opposition to Motion to Strike and Exhibits filed on December 7, 2015;
12. Appellants' Joint Motion to Reconsider and Alter or Amend the Order Pursuant to SCRCR Rule 59(e) and Exhibits filed on December 29, 2015;
13. Jacob Ferderigos' Motion to Dismiss and Exhibits filed October 8, 2015;
14. Jacob Ferderigos' Memorandum in Support of Motion and Exhibits filed December 4, 2015;
15. Jacob Ferderigos' Answer, Affirmative Defenses and Counterclaims and Exhibits filed on December 29, 2015;
16. Athan Fokas' Motion to Strike Answer and Counterclaim of Respondent Jacob Ferderigos filed January 25, 2016;
17. Plaintiff's Replies to Counterclaims filed March 31, 2016;
18. Plaintiff's Motions for Partial Summary Judgment as to the Counterclaims of Spiros Ferderigos and Phillip Ferderigos filed February 28, 2017;
19. Phillip Ferderigos' Memorandum in Opposition to Plaintiff's Motion for Summary Judgment and Exhibits filed on June 5, 2017;
20. Athan Fokas' Memorandum in Support of his Motion for Partial Summary Judgment filed on June 5, 2017;
21. Spiros Ferderigos' Memorandum in Opposition to Plaintiff's Motion for Summary Judgment and Exhibits filed on June 6, 2017;

22. Transcript of Motions Hearing Held on June 8, 2017;

23. Spiros Ferderigos' and Phillip Ferderigos' Notices of Appeal filed October 2, 2017.

All the above listed documents to be included in the Record on Appeal shall include any and all exhibits attached to said document and filed with the trial court. I certify that this Designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

BARNWELL WHALEY PATTERSON & HELMS, LLC

BY: 

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ATTORNEYS FOR APPELLANT PHILLIP FERDERIGOS

March 5, 2018

Charleston, South Carolina

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And

Jacob Ferderigos isRespondent.

PROOF OF SERVICE

I certify that on this 5th day of March 2018, I have served on all counsel of a copy of the attached Initial Brief of Appellant Spiros Ferderigos and Appellants' Joint Designation of Matter to be Included in the Record on Appeal by causing a copy of the same to be placed in the U.S. Mail, first-class postage paid, addressed to:

Jennifer H. Thiem, Esquire
K&L Gates, LLP
134 Meeting Street, Suite #500
Charleston, SC 29401
Attorney for Phillip Ferderigos

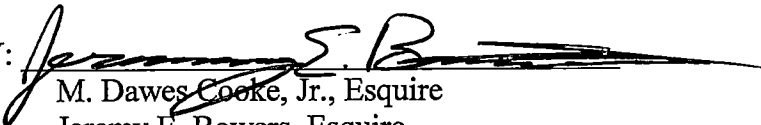
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ATTORNEYS FOR APPELLANT SPIROS FERDERIGOS

March 5, 2018
Charleston, South Carolina



Jeremy E. Bowers, Associate
jbowers@barnwell-whaley.com

March 5, 2018
VIA U.S. MAIL

5033.001
The Honorable Jenny Abbott Kitchings, Clerk
The South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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RE: Fokas v. Ferderigos
Case No.: 2015-CP-10-3919
Court of Appeals Tracking No.: 2017-002032

Dear Ms. Kitchings:

Enclosed please find an original and one (1) copy of the Initial Brief of Appellant Spiros Ferderigos and an original and one (1) copy of the Joint Designation of Matter to be Included in the Record on Appeal filed on behalf of Spiros Ferderigos and Phillip Ferderigos in the above-referenced appeal. Finally, enclosed please find an original and one (1) copy of a Proof of Service related to the Initial Brief and Joint Designation of Matter to be Included in the Record on Appeal. Please file the originals and copies, and please return the filed stamped copies to me in the self-addressed stamped envelope provided herein.

By copy of this letter, I am serving all counsel of record with a copy of the Initial Brief of Appellant Spiros Ferderigos and Joint Designation of Matter for Inclusion in the Record on Appeal in accordance with the enclosed Proof of Service. If you have any questions, please do not hesitate to contact me at (843) 577-7700. Thank you for your cooperation in this matter. With kind regards, I am

Sincerely,

Jeremy E. Bowers

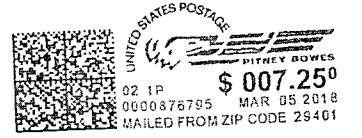
Encl.
cc w/encl.: Andrew Haselden, Esquire
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REPRESENTING CLIENTS IN ALL COURTS IN SOUTH CAROLINA AND NORTH CAROLINA AND IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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