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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Doyet A. Early, III
Circuit Court Judge, Second Judicial District

Civil Case No. 2015-CP-02-02389

Appellate Case No. 2017-002321

RECEIVED
APR 26 2018
SC Court of Appeals

Edward Pugh

Appellant

v.

CB&I AREVA MOX SERVICES, LLC
and Globalpundits Technology
Consultancy, LLC

Respondents

MOTION FOR LEAVE TO SUPPLEMENT THE RECORD ON APPEAL

Appellant Pro Se Edward Pugh, respectfully requests this Court of Appeals for leave to supplement the Record on Appeal, to include the entire email that formed the basis for Appellants Exhibit C in the lower court pleadings.

Said email, provided by his former attorney, includes the first 3 pages found in Exhibit C, as shown in Record on Appeal, pp. 235-238 and 269-271, The November 16, 2016 email is entitled "Pugh v Globalpundits and MOX- Settlement Agreement" and is between his former attorney and Respondents former attorney, showing settlement discussions that continued more than two weeks after the Agreement to Settle was signed.

Rule 210 (c), SCACR states in part, that “Where a portion of a page of the trial transcript, or a page of an *exhibit* (emphasis added) or document, is to be included in the Record on Appeal, the entire page shall be included.” Appellant interprets this to allow the entire email to be included because the first three pages of the email were the basis of Appellants Exhibit C.

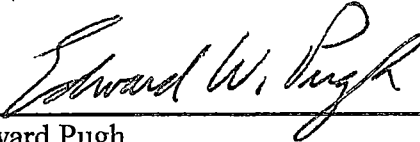
Furthermore, Rule 210 (h), SCACR states that “Review Limited to Record on Appeal. Except as provided by Rule 212 and Rule 208(b)(1)(C) and (2), the appellate court will not consider any fact which does not appear in the Record on Appeal.”

Now Rule 212 (b), SCACR states in its entirety, that “With the written consent of all attorneys of record, a party may supplement the Record on Appeal at any time before argument commences. Without such consent or after argument commences, a party desiring to supplement the Record on Appeal must move the appellate court for leave to do so. In response to that motion, the other party(s) shall designate any supplemental materials which that party desires to add if the Court grants the motion.” Said November 16, 2016 email would be supplemented to the Record on Appeal by an Appendix as per Rule 212 (c), SCACR.

Respondents were contacted by email on Friday, April 20, 2018 with a forwarded copy of the November 16, 2016 email to be supplemented. Attorney Dudek responded by email on Monday, April 23, 2018, that Respondents would not consent, citing Rule 210(c) (“The Record shall not, however, include matter which was not presented to the lower court or tribunal.”).

Without such consent of Respondents, per Rule 212, (b) SCACR, Appellant moves the Court for an Order to allow the Record on Appeal to be supplemented with the entire November 16, 2016 email between his former attorney and Respondents former attorney.

Signature on next page....

s/ 

Edward Pugh
1085 Old Clemson Hwy., Ste. E
Seneca, South Carolina 29672
(864) 723-7251
Appellant, Pro Se

Tuesday, April 24, 2018

Other Counsel of Record:

Michael D. Carrouth and
Benjamin Dudek,
Fisher & Phillips LLP,
PO Box 11612,
Columbia, South Carolina 29211
Attorneys for Respondent
(803) 255-0000

Appellant Pugh motion for leave to supplement ROA

**PROOF OF SERVICE OF FILING
THE MOTION FOR LEAVE TO SUPPLEMENT THE RECORD ON APPEAL**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
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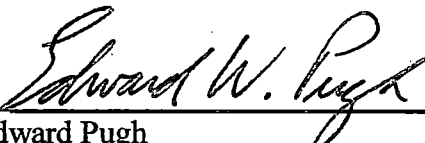
CB&I AREVA MOX SERVICES, LLC
and Globalpundits Technology
Consultancy, LLC

Respondents

PROOF OF SERVICE

I certify that I have served the Motion for Leave to Supplement the Record on Appeal on CB&I AREVA MOX SERVICES, LLC and Globalpundits Technology Consultancy, LLC by depositing a copy of it in the United States Mail, postage prepaid, on Tuesday April 24, 2018, addressed to their attorneys of record, Michael D. Carrouth and Benjamin Dudek, Fisher & Phillips, LLP, PO Box 11612, Columbia, South Carolina 29211.

Tuesday, April 24, 2018

s/ 
Edward Pugh
1085 Old Clemson Hwy., Ste. E
Seneca, South Carolina 29672
(864) 723-7251
Appellant, Pro Se

**LETTER TO THE APPELLATE COURT CLERK
FILING THE MOTION FOR LEAVE TO SUPPLEMENT
THE RECORD ON APPEAL**

Tuesday April 24, 2018

VIA CERTIFIED US MAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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APR 26 2018
SC Court of Appeals

RE: Filing – Motion for Leave to Supplement the Record on Appeal

Edward Pugh, Appellant vs CB&I AREVA MOX Services LLC, and
Globalpundits Technology Consultancy, LLC Respondents.

Civil Case No.: 2015-CP-02-02389, Appellate Case No. 2017-002321


Dear Ms. Kitchings:

Sent by US certified mail to the Court for filing is a **Motion for Leave to Supplement the Record on Appeal** in the above case. Also included are the following:

- (1) Proof of Service of the above motion on the Respondents.
- (2) A money order for the filing fee of \$25.

If you need anything else or I can otherwise be of any assistance, please feel free to contact me.

Sincerely,

s/ 

Edward Pugh
1085 Old Clemson Hwy., Ste. E
Seneca, South Carolina 29672
(864) 723-7251
Appellant, Pro Se

cc: Michael D. Carrouth and
Benjamin Dudek,
c/o Fisher & Phillips, LLP
PO Box 11612,
Columbia, South Carolina 29211
Attorneys for Respondent
(803) 255-0000

P

Edward Pugh
1085 Oak Clendenen Hwy, Ste. E
Seneca, SC 29672-8029



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APR 26 2018

SC Court of Appeals

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

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