

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

---

Case No. 2016-CP-42-03178  
Appellate Case No. 2017-002299

---

Treva C. Flowers, Tristan Flowers, and Ashley F., an  
infant under the age of fourteen (14) years, by and through  
her next friends, Treva C. Flowers and Tristan Flowers ...

**RECEIVED**  
APR 30 2018  
SC Court of Appeals

Appellants,

v.

Bang N. Giep, M.D., and Spartanburg & Pelham OB-  
GYN, P.A. (formerly Spartanburg OB-GYN, P.A.)..... Respondents.

---

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

---

Pursuant to Rule 209, SCACR, Respondents Dr. Bang N. Giep, M.D., and Spartanburg & Pelham OB-GYN, P.A. designate the following material for inclusion in the record on appeal, in addition to the material designated by Appellants. Undersigned counsel certifies pursuant to Rule 209(c), SCACR, that the designation contains no matter irrelevant to the appeal.

1. Excerpts from the Trial Transcript referred to by the Parties as Vol. I at pages: 1; 524–527; 756–765; and
2. Excerpts from the Trial Transcript referred to by the Parties as Vol. II at pages: 259–263; 139–142.

***Signature Page Attached.***

Respectfully submitted,

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 

C. Mitchell Brown  
SC Bar No. 012872  
E-Mail: [mitch.brown@nelsonmullins.com](mailto:mitch.brown@nelsonmullins.com)  
Brian P. Crotty  
SC Bar No. 16983  
E-Mail: [brian.crotty@nelsonmullins.com](mailto:brian.crotty@nelsonmullins.com)  
Caroline D. Gimenez  
SC Bar No. 102719  
E-Mail: [caroline.gimenez@nelsonmullins.com](mailto:caroline.gimenez@nelsonmullins.com)  
1320 Main Street / 17th Floor  
Post Office Box 11070 (29211-1070)  
Columbia, SC 29201  
(803) 799-2000

CARLOCK, COPELAND & STAIR, LLP

D. Gary Lovell, Jr.  
SC Bar No. 69293  
E-Mail: [glovell@carlockcopeland.com](mailto:glovell@carlockcopeland.com)  
40 Calhoun Street, Suite 400  
Charleston South Carolina 29401  
(843) 727-0307

*Attorneys for Respondents*

Columbia, South Carolina  
April 30, 2018

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

The Honorable J. Derham Cole,  
Circuit Court Judge

Case No. 2016-CP-42-3178  
Appellate Case No. 2017-002299

**RECEIVED**  
APR 30 2018  
SC Court of Appeals

Bang N. Giep, M.D., and Spartanburg & Pelham OB-  
GYN, P.A. (formerly Spartanburg OB-GYN, P.A.), ...

Respondent,

v.

Treva C. Flowers, Tristan Flowers, and Ashley F., and  
infant under the age of fourteen (14) years, by and  
through her next friends, Treva C. Flowers and Tristan  
Flowers,,.....

Appellant.

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins  
Riley & Scarborough LLP, attorneys for Bang N. Giep, M.D., and Spartanburg & Pelham OB-  
GYN, P.A. (formerly Spartanburg OB-GYN, P.A.), do hereby certify that I have served all counsel  
in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same  
to the following address(es):

Pleadings: Respondents' Designation of Matter to be Included in the Record  
on Appeal

Counsel Served: Charles L. Henshaw, Jr., Esquire  
FURR & HENSHAW  
1534 Blanding Street  
Columbia, SC 29201

*Signature on Following Page*

*Eileen Hindman*

---

Eileen Hindman  
Administrative Assistant

4/30, 2018



NELSON MULLINS

NELSON MULLINS RILEY & SCARBOROUGH LLP  
ATTORNEYS AND COUNSELORS AT LAW

C. Mitchell Brown  
T 803.255.9595 F 803.255.9025  
mitch.brown@nelsonmullins.com

1320 Main Street | 17th Floor  
Columbia, SC 29201  
T 803.799.2000 F 803.256.7500  
nelsonmullins.com

April 30, 2018

RECEIVED

APR 30 2018

SC Court of Appeals

Via Hand Delivery

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

RE: Treva C. Flowers, Tristan Flowers, and Ashley F., an infant under the age of fourteen (14) years, by and through her next friends, Treva C. Flowers and Tristan Flowers v. Bang N. Giep, M.D., and Spartanburg & Pelham OB-GYN, P.A. (formerly Spartanburg OB-GYN, P.A.)  
Appellate Case No. 2017-002299  
Our File No. 055724/01500

Dear Ms. Kitchings:

Enclosed please find the original and one copy of the Respondents' Initial Brief and Designation of Matter to be Included in the Record on Appeal in the above-referenced matter. We would ask that you file the original and return a clocked-in copy to us via our courier.

By copy of this letter to counsel of record, we are serving Appellants with a copy of this notice.

With kind regards, I remain

Sincerely yours,

C. Mitchell Brown

CMB:eh  
Enclosures  
cc: Charles L. Henshaw, Jr., Esquire