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IN 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. 2017-002585

RECEIVED
MAY 07 2018
SC Court of Appeals

Cole Towing and Recovery, LLC,

Appellant,

v.

City of Spartanburg and Spartanburg
City Council,

Respondents.

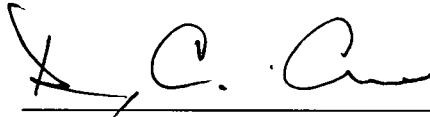
**DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

In addition to the matter designated by Appellant, Respondents propose the following to be included in the Record on Appeal:

1. Form 4C Order filed 10/16/17;
2. Answer;
3. Defendants' Motion for Summary Judgment;
4. Brief of Plaintiff in Support of Summary Judgment;
5. Defendants' Memorandum in Support of Motion for Summary Judgment;
6. Affidavit of Paul Smith (with Exhibit A);
7. Affidavit of Ed Memmott (with Exhibits A, B and C); and
8. Supplemental Affidavit of Ed Memmott (with Exhibits 1, 2, 3, 4 and 5) (a legible substitute copy of Exhibit 5 with one page of transcript per page is provided with this Designation for the convenience of Appellant in preparing the Record).

I certify that this designation contains no matter which is irrelevant to this appeal.

May 7, 2018

A handwritten signature in black ink, appearing to read 'D.C. Crowe', written over a horizontal line.

Danny C. Crowe (SC Bar No. 1480)
Crowe LaFave, LLC
P.O. Box 1149
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803-724-5728

Attorneys for Respondents

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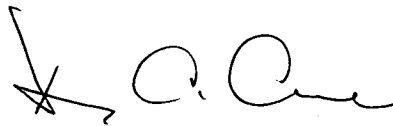
City of Spartanburg and Spartanburg
City Council,

Respondents.

PROOF OF SERVICE

I certify that I have served the Initial Brief of Respondents and Designation of Matter to be Included in the Record on Appeal on Appellant by causing a copy of it to be deposited in the United States Mail, postage prepaid, on May 7, 2018, addressed to its attorneys, Robert C. Childs, III, 2100 Poinsett Highway, Suite D, Greenville, South Carolina 29609, and J. Falkner Wilkes, 114 Whitsett Street, Greenville, South Carolina 29601.

May 7, 2018

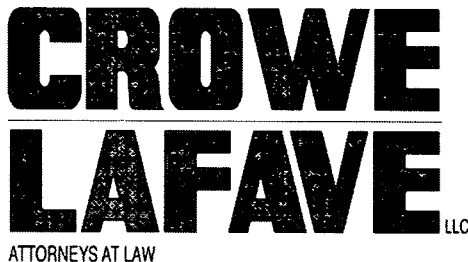


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May 7, 2018

Via Hand Delivery

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

RECEIVED
MAY 07 2018
SC Court of Appeals

Re: Cole Towing and Recovery, LLC v. City of Spartanburg and Spartanburg City Council
Appellate Case No. 2017-002585

Dear Ms. Kitchings:

Please find enclosed for filing an original and one copy of the Initial Brief of Respondents and Designation of Matter to be Included in the Record on Appeal. Also enclosed for filing is an original and one copy of the Proof of Service. Once filing is complete, please return the clocked copies to the individual presenting them for filing.

By copy of this letter to the attorneys for Appellant, I am hereby serving a copy of the Initial Brief of Respondents and Designation of Matter to be Included in the Record on Appeal on Mr. Childs and Mr. Wilkes. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in black ink that reads "D.C. Crowe".

Danny C. Crowe

DCC/dmb
Enclosures

cc: Robert C. Childs, III, Esquire
J. Falkner Wilkes, Esquire
Client (via e-mail only)