

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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

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Case No. 2015-CP-10-3891

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Appellate Case No. 2018-000516

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**RECEIVED**  
JUN 18 2018  
SC Court of Appeals

Athan Fokas ..... Respondent,

v.

Phillip Ferderigos and Spiros Ferderigos ..... Appellants.

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

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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 February 22, 2018;
2. Order Granting Plaintiff Partial Summary Judgment filed August 31, 2017, in Civil Action No. 2015-CP-10-3919;
3. Order Granting Motion to Amend Complaint filed November 9, 2016;
4. Athan Fokas' Summons and Complaint filed July 14, 2015;
5. Answer of Defendant Spiros Ferderigos and Counterclaims filed October 1, 2015;
6. Answer of Defendant Phillip Ferderigos and Counterclaims filed October 1, 2015;
7. Motion to Amend Complaint filed December 29, 2015;
8. Affidavit of Nathan M. Crystal in Support of Defendants' [Ferderigos'] Motion for Summary Judgment and for Sanctions filed February 12, 2016;

9. Plaintiff's Reply to the Counterclaims of Defendant Spiros Ferderigos filed May 31, 2016;
10. Plaintiff's Reply to the Counterclaims of Defendant Phillip Ferderigos filed May 31, 2016;
11. Memorandum in Opposition to Plaintiff's Motion to Amend his Complaint on behalf of Defendant Phillip Ferderigos filed June 13, 2016;
12. Memorandum in Opposition to Plaintiff's Motion to Amend Complaint on behalf of Defendant Spiros Ferderigos filed June 14, 2016;
13. Amended Complaint filed February 24, 2017;
14. Answer and Counterclaims of Defendant Spiros Ferderigos to Plaintiff's Amended Complaint filed March 16, 2017;
15. Answer of Defendant Phillip Ferderigos to Amended Complaint and Counterclaims filed March 20, 2017;
16. Plaintiff's Reply to the Counterclaims of Defendant Spiros Ferderigos filed April 26, 2017;
17. Plaintiff's Reply to the Counterclaims of Defendant Phillip Ferderigos filed April 26, 2017;
18. Plaintiff's Motion for Partial Summary Judgment as to Counterclaims of Phillip Ferderigos filed August 25, 2017;
19. Plaintiff's Motion for Partial Summary Judgment as to Counterclaims of Spiros Ferderigos filed August 25, 2017;
20. Memorandum in Opposition to Plaintiff's Motion for Partial Summary Judgment on behalf of Defendant Phillip Ferderigos filed December 6, 2017;
21. Memorandum in Opposition to Plaintiff's Motion for Partial Summary Judgment on behalf of Defendant Spiros Ferderigos filed December 7, 2017;
22. Notice of Filing of Deposition Transcript (Urania Fokas) filed December 7, 2017;
23. Spiros Ferderigos' and Phillip Ferderigos' Notice of Appeal filed on March 23, 2018;
24. Summons and Complaint of Athan Fokas filed July 15, 2015, in Civil Action No. 2015-CP-10-3919;
25. Spiros Ferderigos' Answer, Affirmative Defenses and Counterclaims and Exhibits filed October 1, 2015, in Civil Action No. 2015-CP-10-3919;

26. Phillip Ferderigos Answer, Affirmative Defenses and Counterclaims and Exhibits filed October 1, 2015, in Civil Action No. 2015-CP-10-3919;
27. Plaintiff's Replies to Counterclaims filed March 31, 2016, in Civil Action No. 2015-CP-10-3919;
28. Plaintiff's Motions for Partial Summary Judgment as to the Counterclaims of Spiros Ferderigos and Phillip Ferderigos filed February 28, 2017, in Civil Action No. 2015-CP-10-3919;
29. December 5, 2017 email from Athan Fokas, presented to Court at Motions Hearing Held on December 11, 2017;
30. Spiros Ferderigos' and Phillip Ferderigos' Notices of Appeal filed October 2, 2017, in Civil Action No. 2015-CP-10-3919;
31. Transcript of Motions Hearing Held on December 11, 2017;
32. Transcript of Motions Hearing Held on June 8, 2017, in Civil Action No. 2015-CP-10-3919.

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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w/written permission

ATTORNEYS FOR APPELLANT PHILLIP FERDERIGOS

June 15, 2018  
Charleston, South Carolina

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In the Court of Appeals

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PROOF OF SERVICE

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I certify that on this 15<sup>th</sup> day of June 2018, I have served on all counsel 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:

Joseph R. Weston, Esquire  
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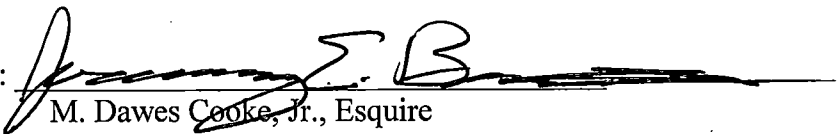
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June 15, 2018  
Charleston, South Carolina

**BARNWELL  
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PATTERSON & HELMS LLC

Attorneys for businesses & professionals since 1938

**80**  
YEARS ■  
1938-2018

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

June 15, 2018  
VIA U.S. MAIL

**RECEIVED**

JUN 18 2018

SC Court of Appeals

5033.001

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

RE: Fokas v. Ferderigos  
Case No.: 2015-CP-10-3891  
Court of Appeals Tracking No.: 2018-000516

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  
Leslie S. Lenhardt, Esquire  
Ian S. Ford, Esquire  
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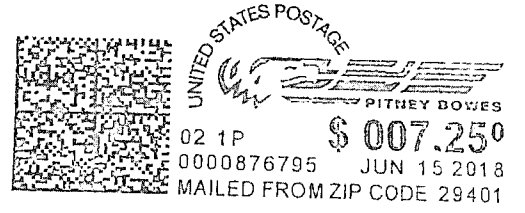
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REPRESENTING CLIENTS IN ALL COURTS IN SOUTH CAROLINA AND NORTH CAROLINA AND IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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The South Carolina Court of Appeals  
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