

88242

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

NOV 05 2018

SC Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Jean Hoefer Toal, Circuit Court Judge

Case No. 2018-000385

Timothy W. Howe, Individually and as Personal Representative of the Estate of Wayne Erwin
Howe, Deceased and Jeanette Howe
Respondents,

v.

Air & Liquid Systems Corp., Individually and as successor-in-interest to Buffalo Pumps, Inc.; Airco, Inc.; Airgas USA, LLC f/k/a National Welding Supply, Inc.; Albany International Corp; Asten-Johnson, Inc.; Aurora Pump Company; A.W. Chesterton Company; Beloit Corporation; Black Clawson Converting Machinery, LLC; Individually and as a subsidiary of Davis-Standard LLC; CBS Corporation, A Delaware corporation f/k/a Viacom, Inc., Successor by merger to CBS Corporation, Pennsylvania Corporation, f/k/a Westinghouse Electric Corporation; CGR Products, Inc., f/k/a Carolina Gasket and Rubber company; CAN Holdings, Inc. f/k/a Hoechst Celanese Corporation (sued individually and as successor in interest to Fiber industries, Inc.); Cleaver-Brooks, Inc.; Covil Corporation' Crane Co.; Crown Cork & Seal Company, Inc.; Daniel International Corporation; Davis-Standard Corporation, LLC; Dezurik, Inc d/b/a Dezurik-APCO Williamette Eagle, Inc.; Fisher-Klosterman, Inc., as successor-in-interest to Buell Engineering Co.; Flowserve Corporation, Individually and as successor-in-interest to Durco Pumps; Fluor Daniel Services Corporation; Foster Wheeler Energy Corporation; General Electric Company; The Gorman-Rupp Company; Goulds Pumps, Incorporated; Ingersoll-Rand Company; Linde, LLC f/k/a The Boc Group, Inc., f/k/a Airco, Inc.; Marsulex Environmental Technologies Corporation, individually and as successor-in-interest to Buell Engineering Co.; Metropolitan Life Insurance Company, A wholly-owned subsidiary of Metlife, Inc.; Peerless Pump Company; Presnell Insulation, Inc.; Riley Power, Inc., Individually and as successor-in-interest to Babcock Borsig Power, Inc. and Riley Stoker Corporation, Individually and as successor-in-interest to D.B. Riley; SCAPA Waycross, Inc.; Sepco Corporation; SPX Cooling Technologies, Inc, f/k/a Marley Cooling Technologies, Inc. f/k/a The Marley Cooling Tower Co.; Sterling Fluid Systems (USA) LLC; Trane U.S., Inc. f/k/a American Standard, Inc. f/k/a American & Standard Manufacturing Company; Union Carbide Corporation; Uniroyal, Inc. f/k/a United States Rubber Company, Inc.; United Conveyor Corporation; Velan Valve Corp; Viking Pump, Inc.; Warren Pumps LLC; Yuba

Heat Transfer Corporation; Zurn Industries, Defendants

Of Which Covil Corporation is the Appellant.

AND

Roxanne Falls, Individually and as Personal Representative of the Estate of Charlotte Gaye Smith, Respondents

v.

CBS Corporation, A Delaware Corporation f/k/a Viacom, Inc., successor by merger to CBS Corporation, A Pennsylvania Corporation f/k/a Westinghouse Electric Corporation; CAN Holdings, Inc. f/k/a Hoechst Celanese Corporation, sued individually and as a successor-in-interest to Fiber Industries, Inc.; Cleaver-Brooks, Inc.; Covil Corporation; Daniel International Corporation; Fluor Daniel, Inc. f/k/a Daniel Construction Company, Inc.; Fluor Daniel Services Corporation; Foster Wheeler Energy Corporation; General Electric Company; MP Supply, Inc. f/k/a Mill-Power Supply Co. and Mill power Supply Company; Resolute FP US, Inc., Union Carbide Corporation; United States Fidelity Guaranty Company; Uniroyal, Inc. f/k/a United States Rubber Company, Inc. and United Conveyor Corporation.. . . . Defendants

Of which Covil Corporation is the Appellant.

AND

James Coleman Sizemore, as Personal Representative of the Estate of James Calvin Sizemore, Descendant, Respondent.

v.

Bowater Paper Mill; E.I. Du Pont De Nemours and Company; Foster Wheeler Energy Corporation; Daniel International Corporation f/k/a Daniel Construction Company, Inc.; Resolute FP US Inc f/k/a Bowater Incorporated; CBS Corporation, a Delaware corporation f/k/a Viacom, Inc. successor-by-merger to CBS Corporation, A Pennsylvania Corporation f/k/a Westinghouse Electric Corporation; Cleaver-Brooks, Inc. f/k/a Aqua-Chem, Inc. d/b/a Cleaver-Brooks Division; Covil Corporation; Fluor Constructors International f/k/a Fluor Corporation; Fluor Constructors International, Inc.; Fluor Daniel Services Corporation; Fluor Enterprises, Inc.; General Electric Company d/b/a Rayloc a/k/a NAPA; Georgia-Pacific Consumer Products LP; Honeywell International, Inc. f/k/a Allied-Products Liability Signal, Inc., sued as successor-in-interest to Bendix Corporation; SCANA Corporation d/b/a South Carolina Electric & Gas; Riley power, Inc. f/k/a Riley Stoker Corporation and D.B. Riley, Inc.

AND

Waste Management of South Carolina, Inc., as successor by merger to USA Waste of South

Carolina, Inc., successor by merger to Chambers Medical Technologies, Inc.,... .Defendants
Of which Covil Corporation is the Appellant.

**APPELLANT’S MOTION TO AMEND ITS DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

The Appellant moves, pursuant to Rule 209 of the South Carolina Appellate Court Rules, to amend the Designation of Matter to be Included in the Record on Appeal (“Designation of Matter”). The Appellant seeks to amend the Designation of Matter to include the Transcript from the deposition of James Covil taken on February 7, 2018 (the “Deposition Transcript”). In compiling the Record on Appeal, the Appellant discovered that it inadvertently omitted the Deposition Transcript from the Designation of Matter.

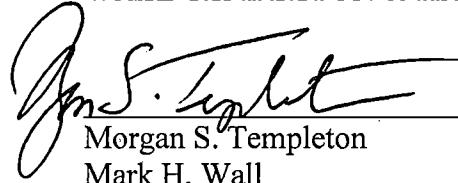
Although the Deposition Transcript was omitted from the Designation of Matter, it appears that both parties intended for it to be included in the Record on Appeal. [E.g., Resp’ts’ Br. at 9-10; Appellant’s Reply Br. at 13]. The parties also discussed the Deposition Transcript and James Covil’s Deposition in emails to which Justice Toal was copied. [2/16/18 Emails and Attachments; R. __]. Further, Justice Toal’s Orders – which are the subject of this appeal – directly cite the Deposition Transcript as a basis for her rulings. [Orders Regarding Covil Corporation Discovery Motions; R. __].

The Appellant therefore respectfully requests that this Court permit it to file an Amended Designation of Matter to be Included in the Record on Appeal, a copy of which is attached to this motion as Exhibit A.

[Signature block intentionally placed on next page]

November 12, 2018.

WALL TEMPLETON & HALDRUP, PA



Morgan S. Templeton

Mark H. Wall

145 King Street, Suite 300 (29401)

Post Office Box 1200

Charleston, South Carolina 29402

Tel: (843)329-9500; Fax (843)329-9501

Morgan.Templeton@WallTempleton.com

Mark.Wall@WallTempleton.com

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY AND HAMPTON COUNTY
Court of Common Pleas

Jean Hoefer Toal, Circuit Court Judge

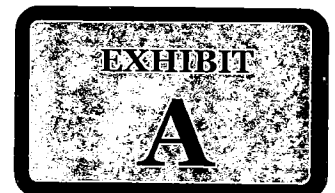
Case Nos. 2015-CP-46-2155 and 2015-CP-46-3456 (York County)
Case No. 2016-CP-25-0440 (Hampton County)

Appellant Case No. 2018-000385

Timothy W. Howe, Individually and as Personal Representative of the Estate of Wayne Erwin
Howe, Deceased and Jeanette Howe Respondents,

v.

Air & Liquid Systems Corp., Individually and as successor-in-interest to Buffalo Pumps, Inc.; Airco, Inc.; Airgas USA, LLC f/k/a National Welding Supply, Inc.; Albany International Corp; Asten-Johnson, Inc.; Aurora Pump Company; A.W. Chesterton Company; Beloit Corporation; Black Clawson Converting Machinery, LLC; Individually and as a subsidiary of Davis-Standard LLC; CBS Corporation, A Delaware corporation f/k/a Viacom, Inc., Successor by merger to CBS Corporation, A Pennsylvania Corporation, f/k/a Westinghouse Electric Corporation; CGR Products, Inc. f/k/a Carolina Gasket and Rubber Company; CNA Holdings, Inc. f/k/a Hoechst Celanese Corporation (sued individually and as successor in interest to Fiber industries, Inc.); Cleaver Brooks, Inc.; Covil Corporation; Crane Co.; Crown Cork & Seal Company, Inc.; Daniel International Corporation; Davis-Standard Corporation, LLC; Dezurik, Inc d/b/a Dezurik-APCO Williamette Eagle, Inc.; Fisher-Klosterman, Inc., as successor-in-interest to Buell Engineering Co.; Flowsolve Corporation, Individually and as successor-in-interest to Durco Pumps; Fluor Enterprises, Inc. f/k/a Fluor Daniel, Inc.; Fluor Daniel Services Corporation; Foster Wheeler Energy Corporation; General Electric Company; The Gorman-Rupp Company; Goulds Pumps, Incorporated; Ingersoll-Rand Company; Linde, LLC f/k/a The Boc Group, Inc., f/k/a Airco, Inc.; Marsulex Environmental Technologies Corporation, individually and as successor-in-interest to Buell Engineering Co.; Marsulex Environmental Technologies, LLC, as successor-in-interest to Buell Engineering Co.; Metropolitan Life Insurance Company, A wholly-owned subsidiary of Metlife, Inc.; Peerless Pump Company; Presnell Insulation, Inc.; Riley Power, Inc., Individually and as successor-in-interest to Babcock Borsig Power, Inc. and Riley Stoker Corporation, Individually and as successor-in-interest to D.B. Riley; SCAPA Waycross, Inc.; Sepco Corporation; SPX Cooling Technologies, Inc., f/k/a Marley Cooling Technologies, Inc. f/k/a The



Marley Cooling Tower Co.; Sterling Fluid Systems (USA) LLC; Trane U.S., Inc. f/k/a American Standard, Inc., f/k/a American Radiator & Standard Manufacturing Company; Union Carbide Corporation; Uniroyal, Inc. f/k/a United States Rubber Company, Inc.; United Conveyor Corporation; Velan Valve Corp; Viking Pump, Inc.; Warren Pumps LLC; Yuba Heat Transfer Corporation; Zurn Industries, Defendants,

Of which Covil Corporation is the Appellant.

AND

Roxanne Falls, Individually and as Personal Representative of the Estate of Charlotte Gaye Smith,
.Respondent,

v.

CBS Corporation, a Delaware corporation f/k/a Viacom, Inc., successor by merger to CBS Corporation, a Pennsylvania Corporation f/k/a Westinghouse Electric Corporation; CNA Holdings, Inc. f/k/a Hoechst Celanese Corporation; Celanese Corporation f/k/a Hoescht Celanese Corporation, sued individually and as a successor-in-interest to Fiber Industries, Inc.; Cleaver-Brooks, Inc.; Covil Corporation; Daniel International Corporation; Fluor Daniel, Inc. f/k/a Daniel Construction Company, Inc.; Fluor Daniel Services Corporation; Foster Wheeler Energy Corporation; General Electric Company; MP Supply, Inc. f/k/a Mill-Power Supply Co. and Mill Power Supply Company; Resolute FP US, Inc.; Union Carbide Corporation; United States Fidelity Guaranty Company; Uniroyal, Inc., f/k/a United States Rubber Company, Inc.; and United Conveyor Corporation.. Defendants,

Of which Covil Corporation is the Appellant.

AND

James Coleman Sizemore, as Personal Representative of the Estate of James Calvin Sizemore, Decedent, Respondent,

v.

Bowater Paper Mill; E.I. Du Pont De Nemours and Company; Foster Wheeler Energy Corporation; Daniel International Corporation f/k/a Daniel Construction Company, Inc.; Resolute FP US Inc. f/k/a Bowater Incorporated; CBS Corporation, A Delaware corporation f/k/a Viacom, Inc., successor-by-merger to CBS Corporation, A Pennsylvania Corporation, f/k/a Westinghouse Electric Corporation; Cleaver-Brooks, Inc. f/k/a Aqua-Chem, Inc. d/b/a Cleaver-Brooks Division; Covil Corporation; Fluor Constructors International f/k/a Fluor Corporation; Fluor Constructors International, Inc.; Fluor Daniel Services Corporation; Fluor Enterprises, Inc.; General Electric Company; Genuine Parts Company, d/b/a Rayloc a/k/a NAPA; Georgia-Pacific Consumer Products LP; Honeywell International, Inc. f/k/a Allied-Products Liability Signal,

Inc., sued as successor-in-interest to Bendix Corporation; SCANA Corporation d/b/a South Carolina Electric & Gas; Riley Power, Inc. f/k/a Riley Stoker Corporation and D.B. Riley, Inc.; and Waste Management of South Carolina, Inc., successor by merger to USA Waste of South Carolina, Inc., successor by merger to Chambers Medical Technologies, Inc.,
.Defendants,

Of which Covil Corporation is the Appellant.

**APPELLANT’S AMENDED DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL AND CERTIFICATION**

Pursuant to Rule 209 of the South Carolina Appellate Court Rules, Covil Corporation (“Appellant”) designates the following materials to be included in the Record on Appeal in this matter. Unless otherwise expressly stated, each item designated is to include all attachments or exhibits to the original of the referenced item, as well as any proofs of service. Appellant expressly reserves the right to seek supplementation to the record pursuant to Rules 209 and 212, SCACR. In addition to the matters which might be designated by the Respondents, which designations are incorporated herein by reference, Appellant designates the following matters for inclusion in the Record on Appeal.

ORDERS

1. Master Discovery/Scheduling Order and Exhibits signed September 30, 2010;
2. Scheduling Order for Falls matter filed January 19, 2018;
3. Scheduling Order for Howe matter filed January 19, 2018;
4. Scheduling Order for Sizemore matter filed January 17, 2018;
5. Order Regarding Covil Corporation Discovery Motions for Falls matter filed February 28, 2018;
6. Order Regarding Covil Corporation Discovery Motions for Howe matter filed March 1, 2018;

7. Order Regarding Covil Corporation Discovery Motions for Sizemore matter filed February 28, 2018;

PLEADINGS

1. Summons and Complaint filed by Charlotte Gaye Smith and Gary Dean Smith on July 20, 2015;
2. Answer of Covil Corporation to the Complaint filed on September 10, 2015 for Falls matter;
3. First Amended Complaint filed by Gary Dean Smith, individually and as personal representative of the Estate of Charlotte Gaye Smith, filed on March 10, 2016;
4. Second Amended Complaint filed by Roxanne Falls, individually and as personal representative of the Estate of Charlotte Gaye Smith, filed on November 15, 2017;
5. Answer of Covil Corporation to the Second Amended Complaint filed on December 8, 2017 for Falls matter;
6. Summons and Complaint filed by Wayne Ervin Howe and Jeanette Howe on November 9, 2015;
7. Answer of Covil Corporation to the Complaint filed on February 8, 2016 for Howe matter;
8. First Amended Complaint filed by Timothy W. Howe, individually and as personal representative of the Estate of Wayne Erwin Howe, deceased, filed on September 23, 2016;
9. Answer of Covil Corporation to the First Amended Complaint filed on February 8, 2016 for Howe matter;
10. Summons and Complaint filed by James Calvin Sizemore on December 9, 2016;
11. Answer of Covil Corporation to the Complaint filed on February 17, 2017 for Sizemore matter;
12. First Amended Complaint filed by James Coleman Sizemore, individually and as personal representative of the Estate of James Calvin Sizemore, filed on February 1, 2018;
13. Answer of Covil Corporation to the First Amended Complaint filed on February 15, 2018 for Sizemore matter;

14. Covil Corporation's Motion for Protective Order and to Quash Plaintiff's 30(B)(6) Deposition Notice signed January 19, 2018 in the Falls matter;
15. Covil Corporation's Motion for Protective Order and to Quash Plaintiff's 30(B)(6) Deposition Notice signed January 19, 2018 in the Howe matter;
16. Covil Corporation's Motion for Protective Order and to Quash Plaintiff's 30(B)(6) Deposition Notice signed January 19, 2018 in the Sizemore matter;
17. Plaintiffs' Motion to Compel filed January 23, 2018 in the Falls matter;
18. Plaintiffs' Motion to Compel filed January 23, 2018 in the Howe matter;
19. Plaintiffs' Motion to Compel filed January 23, 2018 in the Sizemore matter;
20. Covil Corporation's Notice of Appeal filed on March 2, 2018; in the Falls matter;
21. Covil Corporation's Notice of Appeal filed on March 2, 2018; in the Howe matter;
22. Covil Corporation's Notice of Appeal filed on March 1, 2018; in the Sizemore matter;

TRANSCRIPTS

1. Transcript of Hearing of January 24, 2018;
2. Transcript of Deposition of James P. Covil of February 7, 2018;

OTHER MATERIALS OR DOCUMENTS

1. January 29, 2018 Emails and Attachments;
2. February 1, 2018 Email and Attachments;
3. February 2, 2018 Emails and Attachments;
4. February 21, 2018 Email and Attachments;
5. February 14, 2018 Email from Justice Toal's Clerk to All Defendants;
6. February 16, 2018 Emails and Attachments;
7. February 23, 2018 Email from Justice Toal's Clerk to All Parties;
8. January 19, 2018 Affidavit of James P. Covil (Ex. 2 to Covil Corporation's Memo in Support of Motion for Protective Order and Motion to Quash Plaintiff's 30(B)(6) Deposition Notice in the Falls matter);

9. January 19, 2018 Affidavit of James P. Covil (Ex. 2 to Covil Corporation's Memo in Support of Motion for Protective Order and Motion to Quash Plaintiff's 30(B)(6) Deposition Notice in the Howe matter); and
10. January 19, 2018 Affidavit of James P. Covil (Ex. 2 to Covil Corporation's Memo in Support of Motion for Protective Order and Motion to Quash Plaintiff's 30(B)(6) Deposition Notice in the Sizemore matter).

Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that this designation contains no matter which is irrelevant to the appeal.

November __, 2018.

WALL TEMPLETON & HALDRUP, PA

Morgan S. Templeton
Mark H. Wall
145 King Street, Suite 300 (29401)
Post Office Box 1200
Charleston, South Carolina 29402
Tel: (843)329-9500; Fax (843)329-9501
Morgan.Templeton@WallTempleton.com
Mark.Wall@WallTempleton.com

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

NOV 05 2018

SC Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Jean Hoefer Toal, Circuit Court Judge

Case No. 2018-000385

Timothy W. Howe, Individually and as Personal Representative of the Estate of Wayne Erwin Howe, Deceased and Jeanette Howe

Respondents,

v.

Air & Liquid Systems Corp., Individually and as successor-in-interest to Buffalo Pumps, Inc.; Airco, Inc.; Airgas USA, LLC f/k/a National Welding Supply, Inc.; Albany International Corp; Asten-Johnson, Inc.; Aurora Pump Company; A.W. Chesterton Company; Beloit Corporation; Black Clawson Converting Machinery, LLC; Individually and as a subsidiary of Davis-Standard LLC; CBS Corporation, A Delaware corporation f/k/a Viacom, Inc., Successor by merger to CBS Corporation, Pennsylvania Corporation, f/k/a Westinghouse Electric Corporation; CGR Products, Inc., f/k/a Carolina Gasket and Rubber company; CAN Holdings, Inc. f/k/a Hoechst Celanese Corporation (sued individually and as successor in interest to Fiber industries, Inc.); Cleaver-Brooks, Inc.; Covil Corporation' Crane Co.; Crown Cork & Seal Company, Inc.; Daniel International Corporation; Davis-Standard Corporation, LLC; Dezurik, Inc d/b/a Dezurik-APCO Williamette Eagle, Inc.; Fisher-Klosterman, Inc., as successor-in-interest to Buell Engineering Co.; Flowserve Corporation, Individually and as successor-in-interest to Durco Pumps; Fluor Daniel Services Corporation; Foster Wheeler Energy Corporation; General Electric Company; The Gorman-Rupp Company; Goulds Pumps, Incorporated; Ingersoll-Rand Company; Linde, LLC f/k/a The Boc Group, Inc., f/k/a Airco, Inc.; Marsulex Environmental Technologies Corporation, individually and as successor-in-interest to Buell Engineering Co.; Metropolitan Life Insurance Company, A wholly-owned subsidiary of Metlife, Inc.; Peerless Pump Company; Presnell Insulation, Inc.; Riley Power, Inc., Individually and as successor-in-interest to Babcock Borsig Power, Inc. and Riley Stoker Corporation, Individually and as successor-in-interest to D.B. Riley; SCAPA Waycross, Inc.; Sepco Corporation; SPX Cooling Technologies, Inc, f/k/a Marley Cooling Technologies, Inc. f/k/a The Marley Cooling Tower Co.; Sterling Fluid Systems (USA) LLC; Trane U.S., Inc. f/k/a American Standard, Inc. f/k/a American & Standard Manufacturing

Company; Union Carbide Corporation; Uniroyal, Inc. f/k/a United States Rubber Company, Inc.; United Conveyor Corporation; Velan Valve Corp; Viking Pump, Inc.; Warren Pumps LLC; Yuba Heat Transfer Corporation; Zurn Industries, Defendants

Of Which Covil Corporation is the Appellant.

AND

Roxanne Falls, Individually and as Personal Representative of the Estate of Charlotte Gaye Smith, Respondents

v.

CBS Corporation, A Delaware Corporation f/k/a Viacom, Inc., successor by merger to CBS Corporation, A Pennsylvania Corporation f/k/a Westinghouse Electric Corporation; CAN Holdings, Inc. f/k/a Hoechst Celanese Corporation, sued individually and as a successor-in-interest to Fiber Industries, Inc.; Cleaver-Brooks, Inc.; Covil Corporation; Daniel International Corporation; Fluor Daniel, Inc. f/k/a Daniel Construction Company, Inc.; Fluor Daniel Services Corporation; Foster Wheeler Energy Corporation; General Electric Company; MP Supply, Inc. f/k/a Mill-Power Supply Co. and Mill power Supply Company; Resolute FP US, Inc., Union Carbide Corporation; United States Fidelity Guaranty Company; Uniroyal, Inc. f/k/a United States Rubber Company, Inc. and United Conveyor Corporation. Defendants

Of which Covil Corporation is the Appellant.

AND

James Coleman Sizemore, as Personal Representative of the Estate of James Calvin Sizemore, Descendant, Respondent.

v.

Bowater Paper Mill; E.I. Du Pont De Nemours and Company; Foster Wheeler Energy Corporation; Daniel International Corporation f/k/a Daniel Construction Company, Inc.; Resolute FP US Inc f/k/a Bowater Incorporated; CBS Corporation, a Delaware corporation f/k/a Viacom, Inc. successor-by-merger to CBS Corporation, A Pennsylvania Corporation f/k/a Westinghouse Electric Corporation; Cleaver-Brooks, Inc. f/k/a Aqua-Chem, Inc. d/b/a Cleaver-Brooks Division; Covil Corporation; Fluor Constructors International f/k/a Fluor Corporation; Fluor Constructors International, Inc.; Fluor Daniel Services Corporation; Fluor Enterprises, Inc.; General Electric Company d/b/a Rayloc a/k/a NAPA; Georgia-Pacific Consumer Products LP; Honeywell International, Inc. f/k/a Allied-Products Liability Signal, Inc., sued as successor-in-interest to Bendix Corporation; SCANA Corporation d/b/a South Carolina Electric & Gas; Riley power, Inc. f/k/a Riley Stoker Corporation and D.B. Riley, Inc.

AND

Waste Management of South Carolina, Inc., as successor by merger to USA Waste of South Carolina, Inc., successor by merger to Chambers Medical Technologies, Inc., . . . Defendants

Of which Covil Corporation is the Appellant.

PROOF OF SERVICE


I certify this 1st day of November, 2018 that I have served a copy of **MOTION TO AMEND THE DESIGNATION OF MATTER** upon other counsel of record, by depositing a copy of it in the United States Mail, postage prepaid, and addressed to the following:

Theile B. McVey, Esquire
John D. Kassel, Esquire
Kassell McVey
Post Office Box 1476
Columbia, South Carolina 29202-1746

Jonathan Holder, Esquire
Dean Omar Branham, LLP
302 N. Market Street, Ste. 300
Dallas, Texas 75202
**Attorneys for Respondents James Calvin Sizemore,
Roxanne Falls (Smith) and Timothy W. Howe**

November 1, 2018

WALL TEMPLETON & HALDRUP, P.A.



Amy R. Eversole, Paralegal
145 King Street, Ste. 300
Charleston, South Carolina 29401
843-329-9500



Wall Templeton
ATTORNEYS

Morgan S. Templeton
Morgan.Templeton@WallTempleton.com
Telephone: 843.329.9500 Ext. 209
Facsimile: 843.329.9501

November 1, 2018

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

RECEIVED
NOV 05 2018
SC Court of Appeals

Re: *Timothy Howe v. Air & Liquid Systems (Covil Corporation)*
Appellate Case No.: 2018-000385

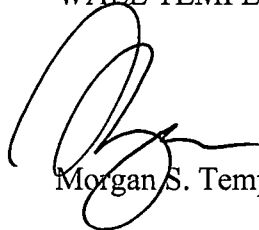
Dear Ms. Kitchings:

Enclosed for filing, please find an original and copy of Appellant's Motion to Amend its Designation of Matter, along with Proof of Service. Please return a file-stamped copy to this office in the enclosed, self-addressed, stamped envelope.

By copy to all counsel, I am serving them with the enclosed Motion. Thank you for your assistance.

Sincerely,

WALL TEMPLETON & HALDRUP, P.A.



Morgan S. Templeton

MST:are
Enclosures
cc: All Counsel of Record (w/ *encl*)



FIRST CLASS MAIL



Wall Templeton
ATTORNEYS

145 King Street, Suite 300
Charleston, South Carolina 29401

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

RECEIVED
NOV 05 2018
SC Court of Appeals

