

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Case No. 2015-CP-10-3325, 2017-CP-10-05055
Appellate Case No. 2018-001413

RECEIVED
NOV 09 2018
SC Court of Appeals

Phillip DeClemente, a/k/a Alex Rochford, Appellant,

v.

Assistive Technology Medical Equipment
Services, LLC; Jeffrey Reed; Murrell G. Smith, Respondents,

and

Phillip DeClemente, a/k/a Phillip Goodpaster, Appellant,

v.

Assistive Technology Medical Equipment
Services, LLC (ATMES); Jeffrey Reed; Murrell G. Smith, Respondents.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

Appellant proposes the following be included in the Record on Appeal:

1. Order, Summary Judgment, Case 2015-CP-10-3325, Judge Nicholson, filed July 2, 2018;
2. Dismissal Order in Case 2017-CP-10-5055, Judge Nicholson, filed July 2, 2018;
3. Notice of Appeal & Proof of Service, 2015-CP-10-3325/2017-CP-10-5055, filed July 27, 2018;
4. Complaint, Respondents', 2011-CP-10-8011, October 31, 2011;
5. Order of Default, Judge Nicholson, filed April 30, 2014;
6. Full & Final Release, July 8, 2009;
7. Promissory Note, June 30, 2009;
8. Bill of Sale & Transfer, June 30, 2009;

9. Complaint, DeClemente's, 2015-CP-10-3325;
10. Motion to Dismiss, filed July 15, 2015;
11. Motion to Change Venue, filed August 24, 2015;
12. Hearing Transcript, Judge Dennis, January 14, 2016;
13. Order (Form 4) Denying Change of Venue, Judge Dennis, filed January 14, 2016;
14. Order (Form 4) Denying Motion to Dismiss, Judge Dennis, filed January 14, 2016;
15. Transcript, (Maturity Date Hearing) Judge Dennis, February 19, 2016);
16. Order (Form 4) Granting Amendment of Complaint, Judge Dennis, March 3, 2016;
17. Complaint, DeClemente's Amended, filed March 22, 2016
18. Motion for Venue Transfer & Dismissal, filed June 6, 2016;
19. Order Denying Motion for Dismissal & Venue Change, Judge Cooper, October 4, 2016;
20. Answer to Amended Complaint, filed November 1, 2016;
21. Motion for Summary Judgment, filed September 20, 2017;
22. Transcript, Summary Judgment Hearing, Judge Nicholson, December 11, 2017;
23. Order Memorializing All Prior Decisions, Judge Dennis, filed May 16, 2018;
24. Email Exchange with Respondent Murrell G. Smith, August 10, 2010;
25. Email from Respondent Jeffery Reed, December 14, 2011;
26. Letter from Attorney Marshall, July 8, 2012;
27. Letter from Respondent Smith dated July 12, 2012;
28. Memorandum in Support of Summary Judgment motion, DeClemente's, July 21, 2016;
29. Complaint 2017-CP-10-5055, filed October 3, 2017;
30. Memorandum in Support of Declaratory Judgment Action, filed October 3, 2017;
31. Motion to Dismiss, Request for Speedy Hearing and Sanctions, November 8, 2017;
32. Transcript, Hearing, Judge Nicholson, December 11, 2017;
33. Default Judgment, Judge Jefferson, filed December 21, 2017;
34. Answer, Counterclaim, and Cross claims, DeClemente, August 22, 2012;
35. Order Denying Motion to Reconsider, Judge Nicholson, filed May 7, 2014;
36. Order Denying Motion to Reconsider, Judge Jefferson, filed November 18, 2016;
37. Order Denying Motion to Amend Judgment, Judge Jefferson, filed January 26, 2018.

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

November 6, 2018

Respectfully submitted,



Cameron Marshall,
7 Gamecock Ave. Ste. 707
Charleston, SC 29407
S.C. Bar #64192
Tel. (843)795-2298
Fax (843)795-5081

CERTIFICATE OF COMPLIANCE

I, Cameron Marshall, counsel for the Appellant, hereby certify the Appellant's Initial Combined Brief complies with the provisions of Rule 208 and Rule 267 of the South Carolina Appellate Court Rules.

November 6, 2018
Charleston, SC



Cameron Marshall
7 Gamecock Avenue, Suite 707
Charleston, SC, 29407
(843) 795-2298
SC Bar #64192
Cameron@attorneymarshall.com
Attorney for Appellant

cc:

James E. Smith Jr.
1422 Laurel Street
Columbia, SC 29201
Fax: (803) 933-9801
James@jamesmithpa.com
Attorney for Respondent

Blake Hewitt
P.O. Box 7965
Columbia, SC 29202
Fax: (803) 771-8097
Blake@bluesteinattorneys.com
Attorney for Respondent

RECEIVED

NOV 09 2018

SC Court of Appeals