

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

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DEC 19 2012

Marvin S. Dukes, III, Special Circuit Court Judge for Beaufort County Court of Appeals

Case No. 2012-213239

Town of Hilton Head Island, Respondent

v.

Kigre, Inc., Appellant

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

Pursuant to Rule 209, the Appellant Kigre, Inc. hereby designates the following matter to be included in the Record on Appeal:

1. Plaintiff's Complaint dated March 29, 2006.
2. Defendant's Answer and Counterclaim dated August 17, 2006.
3. Reply to Counterclaim dated October 10, 2006.
4. Plaintiff's Motion To Dismiss and attached Affidavit Of Steven Markiw dated August 30, 2007.
5. Defendant's Amended Answer and Counterclaim dated September 2, 2009.
6. Plaintiff's Reply to Amended Answer and Counterclaim dated September 15, 2009.

7. Transcript pages from trial as follows:
 - a. Volume 1 (December 8, 2010)
Pages 12, 15, 17, 19, 21, 22, 23, 24, 25, 42, 43, 46, 52, 126, 127, 128, 129, 130, 131, 132, 133, 134, 137, 141, 142, 143, 145, 146, 242, 243, 252, 253, 254;
 - b. Volume 2 (December 9, 2010)
Pages 17, 19, 25, 27, 28; and,
 - c. Mayor Peoples Deposition, page 15, 16 and 17.
8. Plaintiff's Exhibits 2, 5, 6, 7, 9, 10, 11, 12.
9. Defendant's Exhibits 2, 3, 4, 5, 10.
10. Judge Duke's Order Ending Case filed February 2, 2012.
11. The Defendant's Motion to Alter or Amend Judgment dated February 16, 2012.
12. Judge Duke's Amended Order Ending Case dated September 19, 2012 and filed of record September 20, 2012.

I, Thomas C. Taylor, Counsel for the Appellant Kigre, Inc., hereby certify pursuant to Rule 209(c) that this Designation contains no matter which is irrelevant to the appeal.



Thomas C. Taylor
Post Office Box 5550
Hilton Head Island, SC 29938
(843) 785-5050
Attorney for Appellant

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Marvin S. Dukes, III, Special Circuit Court Judge for Beaufort County

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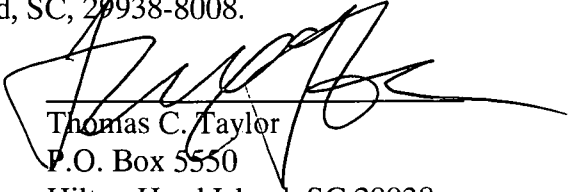
Kigre, Inc.,

Appellant

PROOF OF SERVICE

I certify that I have served the Plaintiff's Designation of Matter To Be Included in the Record On Appeal on the Town of Hilton Head Island by depositing a copy of it in the United States Mail, postage prepaid, on December 17, 2012, addressed to its attorney of record, Gregory M. Alford, P.O. Drawer 8008, Hilton Head Island, SC, 29938-8008.

December 17, 2012


Thomas C. Taylor
P.O. Box 5550
Hilton Head Island, SC 29938
(843) 785-5050
Attorney for Appellant

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SC Court of Appeals

Original to clerk

CERTIFIED CIRCUIT
COURT MEDIATOR

ALSO ADMITTED
GEORGIA BAR

LAW OFFICE OF
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29938

December 17, 2012

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

RE: Town of Hilton Head Island v. Kigre, Appellate Case No. 2012-213239

Dear Ms. Kitchings:


As the record will indicate, I represent the Appellant Kigre, Inc. in this matter.

It is my pleasure to enclose herein for filing, an original and one copy of the following documents:

- a. The Appellant Kigre, Inc.'s Initial Brief;
- b. Proof of Service of the Initial Brief upon the Respondent Town of Hilton Head Island;
- c. The Appellant Kigre, Inc.'s Designation Of Matter To Be Included In The Record On Appeal; and,
- d. Proof of Service of the Designation of Matter To Be Included In The Record On Appeal upon the Respondent Town of Hilton Head Island.

I am also enclosing SASE for your use. Would you please stamp the extra copies "filed" and return them to me in the enclosed envelope? Thank you. I wish you and yours a wonderful Christmas.

Sincerely,


Thomas C. Taylor
P.O. Box 5550
Hilton Head Island, SC 29938
(843) 785-5050
Attorney for Appellant

cc: Gregory M. Alford
P.O. Drawer 8008
Hilton Head Island, SC 29938-8008
(843) 843-5500
Attorney for Respondent

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