

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HAMPTON COUNTY AND YORK COUNTY
Court of Common Pleas

Jean Hoefler Toal, Circuit Court Judge

Appellate Case No.: 2018-000618

RECEIVED
DEC 12 2018
SC Court of Appeals

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

v.

Bowater Paper Mill; E.I. DuPont De Nemours and Company; Foster
Wheeler Energy Corporation; Daniel International Corporation; Resolute
FP US, Inc.; CBS Corporation; Cleaver Brooks, Inc.; Covil Corporation;
Fluor Daniels Services Corporation; Fluor Enterprises, Inc.; General
Electric Company; Genuine Parts Company; Georgia-Pacific Consumer
Products LP; Honeywell International, Inc.; SCANA Corporation; Riley
Power, Inc.; and Waste Management of South Carolina, Inc., Defendants,

Of which Resolute FP US, Inc. is the Appellant.

AND

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

v.

CBS Corporation; CAN Holdings, Inc.; Celanese Corporation;
Cleaver-Brooks, Inc.; Covil Corporation; Daniel International Corporation;
Fluor Daniel, Inc.; Fluor Daniel Services Corporation; Foster Wheeler Energy
Corporation; General Electric Company; MP Supply, Inc.; Resolute FP US, Inc.;
Union Carbide Corporation; United States Fidelity and Guaranty Company;
Uniroyal, Inc.; United Conveyor Corporation, Defendants,


Of which, Resolute FP US, Inc. is the Appellant.

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

Pursuant to Rule 209, SCACR, the Appellant designates the following materials to be included in the Record on Appeal:

1. Transcript of Record (March 9, 2018): pp. 1-6, 102-111, 168-185;
2. Motions to Enforce Automatic Stay;
3. Second Amended Complaint (Smith-Falls Case);
4. Appellant's Motion to Dismiss (Sizemore Case);
5. Appellant's Motion for Summary Judgment (Smith-Falls Case);
6. Sizemore 2016 Deposition: pp. 78-90, 1250-1276;
7. Affidavit of Ark Welker.

The undersigned, an attorney in this matter for the Appellant, certifies pursuant to Rule 209(c), SCACR, that this designation contains no materials that are irrelevant to the appeal.



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Power, Inc.; and Waste Management of South Carolina, Inc., Defendants,

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AND

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Corporation; General Electric Company; MP Supply, Inc.; Resolute FP US, Inc.;
Union Carbide Corporation; United States Fidelity and Guaranty Company;
Uniroyal, Inc.; United Conveyor Corporation, Defendants,

Of which, Resolute FP US, Inc. is the Appellant.

PROOF OF SERVICE

The undersigned, an attorney in this matter of the Appellant Resolute FP US, Inc., certifies that I have this 12th day of December, 2018, served copies of the **Initial Appellant's Brief and Designation of Matter to be Included in the Record on Appeal** upon all counsel for Respondents (listed below) by causing them to be deposited in the United States mail with sufficient postage attached.



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December 12, 2018

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December 12, 2018

Via Hand Delivery

The Hon. Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RECEIVED
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SC Court of Appeals

Re: James Coleman Sizemore, et al. v. Bowater Paper Mill, et al.
Roxanne Falls, et al. v. CBS Corp., et al.
Consolidated Appellate Case No. 2018-000618
Our File No. 13790.00101

Dear Ms. Kitchings:

Enclosed are the originals and one copy each of following materials: (1) Initial Appellant's Brief, (2) Designation of Matter to be Included in the Record on Appeal, and (3) Proof of Service. Please file the originals and return the stamped copies to our courier. Thank you for your kind assistance.

Sincerely,

TURNER PADGET GRAHAM & LANEY P.A.



R. Hawthorne Barrett

RHB
Enclosures

cc: All Record Counsel