

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM RICHLAND COUNTY  
In the Court of Common Pleas

DeAndrea Gist Benjamin, Circuit Court Judge

---

Circuit Case No. 2015-CP-40-7142

Appellate Case No. 2018-001668

Chad Johnson, Jillian Johnson, and Paul K. Gitzen  
..... Respondents,

v.

American Residential Services, L.L.C.d/b/a ARS Rescue Rooter..... Appellant.

---

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

---

*R. Hawthorne Bennett*  
for David S. Cobb  
TURNER PADGET  
Post Office Box 22129  
Charleston, South Carolina 29413-2129  
Direct: (843) 576-2803  
Fax: (843) 577-1629  
[dcobb@turnerpadget.com](mailto:dcobb@turnerpadget.com)  
ATTORNEYS FOR APPELLANT

December 31, 2018

**RECEIVED**  
DEC 31 2018  
SC Court of Appeals

## Designation of Matter

1. Complaint
2. Amended Answer
3. Transcript of Record
  - Page 6, line 1-page 19, line 2
  - Page 46, line 22-page 306, line 23
  - Page 310, line 4-page 525, line 20
  - Page 532, lines 5-9
  - Page 534, line 2-page 537, line 22
4. Johnson's Exhibits 10, 12, 13, 14, 16, 17, 19, 20, 22
5. ARS Exhibits 1-8
6. ARS' Post-Trial Motion
7. Transcript of Post-Trial Motion Hearing
8. Judge Benjamin's Order About Post-Trial Motions
9. ARS proposed jury charge: law regarding duties of general contractor

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY  
In the Court of Common Pleas

**RECEIVED**

DEC 31 2018

DeAndrea Gist Benjamin, Circuit Court Judge

**SC Court of Appeals**

Circuit Case No. 2015-CP-40-7142

Appellate Case No. 2018-001668

Chad Johnson, Jillian Johnson, and Paul K. Gitzen..... Respondents,

v.

American Residential Services, L.L.C.d/b/a ARS Rescue Rooter..... Appellant.

**I CERTIFY THAT THIS DESIGNATION DOES NOT CONTAIN ANY  
MATTER THAT IS IRRELEVANT TO THIS APPEAL**

*R. Hawthorne Bennett*  
for David S. Cobb  
TURNER PADGET  
Post Office Box 22129  
Charleston, South Carolina 29413-2129  
Direct: (843) 576-2803  
Fax: (843) 577-1629  
[dcobb@turnerpadget.com](mailto:dcobb@turnerpadget.com)  
ATTORNEYS FOR APPELLANT

December 31, 2018

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY  
In the Court of Common Pleas

DeAndrea Gist Benjamin, Circuit Court Judge

Circuit Case No. 2015-CP-40-7142

Appellate Case No. 2018-001668

Chad Johnson, Jillian Johnson, and Paul K. Gitzen..... Respondents,

v.

American Residential Services, L.L.C. d/b/a ARS Rescue Rooter..... Appellant.

PROOF OF SERVICE

On December 31, 2018, I mailed a copy of **Appellant's Initial Brief, and Appellant's Designation of Matter** to:

Richard C. Detwiler  
George A. Taylor  
Post Office Box 1390  
Columbia, South Carolina 29201  
**Attorney for Respondents**

*R. Hawthorn Bennett*  
for David S. Cobb  
TURNER PADGET  
Post Office Box 22129  
Charleston, South Carolina 29413-2129  
Direct: (843) 576-2803  
Fax: (843) 577-1629  
[dcobb@turnerpadget.com](mailto:dcobb@turnerpadget.com)  
ATTORNEYS FOR APPELLANT

December 31, 2018

**RECEIVED**  
DEC 31 2018  
SC Court of Appeals

# Turner | Padget

**DAVID S. COBB**

Direct Dial: (843) 576-2803

Direct Fax: (843) 577-1629

[dcobb@turnerpadget.com](mailto:dcobb@turnerpadget.com)

December 31, 2018

**RECEIVED**

DEC 31 2018

SC Court of Appeals

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

Re: **Chad Johnson v. American Residential**

Appellate Docket No.: 2018-001668

TP File No.: 1464.7397

Dear Ms. Kitchings:

We enclose the original and a copy of Appellant's Initial Brief, Appellant's Designation of Matter to be Included in the Record on Appeal, and proof of service. Please file the original and return a filed copy to our runner. If you have any questions or need additional information, please call me at your convenience. With kind regards,

TURNER PADGET

*R. Heather Barrett*

*for* David S. Cobb

DSC/hah  
enclosures

cc: Richard C. Detwiler (with enclosures)  
George Albert Taylor (with enclosures)