

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
In the Court of Common Pleas

RECEIVED

FEB 08 2019

SC Court of Appeals

Paul Burch, Circuit Court Judge
William O. Spencer, Special Referee

Appellate Case No. 2018-001808
Civil Action No. 2017-CP-13-00804

First Citizens Bank & Trust Company and Sadie M. Murvin, Respondents,

v.

Miranda Libby Murvin, a/k/a Miranda Libby Murvin Zimmerman and
Great American Life Insurance Company, Defendants.

Of whom Great American Life Insurance Company is the Appellant.

**RESPONDENT FIRST CITIZENS BANK & TRUST COMPANY AND
SADIE M. MURVIN'S DESIGNATION OF MATTER TO BE INCLUDED IN THE
RECORD ON APPEAL**

Pursuant to Rule 209, of the South Carolina Appellate Rules (SCACR), Respondent First Citizens Bank & Trust Company and Sadie M. Murvin, proposes the following to be included in the Record on Appeal:

1. Summons filed December 18, 2017;
2. Complaint filed December 18, 2017;
3. Amended Summons filed January 17, 2018;
4. Amended Complaint filed January 17, 2018;
5. Letter from the S.C. Department of Insurance to Great American filed February 9, 2018;
6. Affidavit of Service filed February 9, 2018;

7. Affidavit of Service filed March 5, 2018;
8. Affidavit of Default filed March 5, 2018;
9. Motion for Order of Default filed March 5, 2018;
10. Motion for Entry of Default by Clerk filed March 5, 2018;
11. Entry of Default filed March 5, 2018;
12. Judgment for Plaintiffs and Order for Default and for Hearing on Damages filed on March 22, 2018;
13. Notice of Appearance by Wilbur E. Johnson, Esq. filed on April 12, 2018;
14. Defendant Great American Life Insurance Company's Motion to Vacate Default Judgment filed April 16, 2018;
15. Memorandum in Support of Defendant Great American Life Insurance Company's Motion to Vacate Default Judgment filed July 12, 2018;
16. Order Denying Defendant's Motion to Vacate Default Judgment filed September 13, 2018;
17. Notice of Appeal filed October 12, 2018.

(signature page to follow)

CERTIFICATION OF COUNSEL

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

Respectfully submitted,



Warren C. Powell, Jr., S.C. Bar No. 4525
Chelsea J. Clark, S.C. Bar No. 102211
Bruner, Powell, Robbins, Wall & Mullins, LLC
1735 St. Julian Place, Suite 200
Columbia, South Carolina 29204
803-252-7693
wpowell@brunerpowell.com
cclark@brunerpowell.com
Attorneys for Respondents

Samuel A. Slater w/ permission
Benjamin N. Thompson, N.C. Bar No. 9005
Samuel A. Slater, N.C. Bar No. 43212
Wyrick Robbins Yates & Ponton, PLLC
4101 Lake Boone Trail, Suite 300
Raleigh, NC 27607
919-781-4000
Admission to Practice Pro Hac Vice Pending

This the 8th day of February 2019

RECEIVED
FEB 08 2019
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
In the Court of Common Pleas

Paul Burch, Circuit Court Judge
William O. Spencer, Special Referee

Appellate Case No. 2018-001808
Civil Action No. 2017-CP-13-00804

RECEIVED
FEB 08 2019
SC Court of Appeals

First Citizens Bank & Trust Company and Sadie M. Murvin, Respondents,

v.

Miranda Libby Murvin, a/k/a Miranda Libby Murvin Zimmerman and
Great American Life Insurance Company, Defendants.

Of whom Great American Life Insurance Company is the Appellant.

PROOF OF SERVICE

The undersigned certifies that she has served the Initial Brief of Respondents and Designation of Matter on Appellant, Great American Life Insurance Company, by depositing a copy of it in the U.S. Mail, postage prepaid, on February 8, 2019, addressed to its attorneys as follows:

Chad N. Johnson
Willoughby & Hoefler, PA
PO Box 8416
Columbia, SC 29202

Robert W. Humphrey
Willoughby & Hoefler, PA
133 River Landing Drive, Suite 200
Charleston, SC 29492

Chelsea J. Clark

February 8, 2019
Columbia, South Carolina