

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Case No. 2018-001444

RECEIVED
MAR 15 2019
SC Court of Appeals

Encore Technology Group, LLC,.....Respondent/Appellant,

v.

Keone Trask and Clear Touch Interactive, Inc.
f/k/a Clear Touch Interactive, LLC,.....Appellants/Respondents.

**RESPONDENT/APPELLANT ENCORE TECHNOLOGY GROUP, LLC'S
DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

Respondent/Appellant proposes that the following be included in the Record on Appeal:

1. Complaint
2. Trial Transcript
 - p. 100, 1.8-p. 101, 1.9
 - p. 122, ll.14-22
 - p. 122, ll.23-25
 - p. 123, 1.1
 - p. 123, ll.14-19
 - p. 123, 1.20-p. 125, 1.15
 - p. 127, ll.7-14
 - p. 127, ll.15-21
 - p. 127, ll.22-25
 - p. 128, ll.1-8
 - p. 128, ll.9-18
 - p. 252, 1.4-p. 262, 1.24
 - p. 295, 1.1-p. 296, 1.17
 - p. 299, 1.8-p. 300, 1.10

- p. 302, l.21-p. 303, l.18
- p. 304, l.10-p. 308, l.13
- p. 312, l.1-p.317, l.8
- p. 317, l.9-p. 320, l.2
- p. 321, l.14-p. 325, l.18
- p. 325, l.19-p. 329, l.17
- p. 329, l.9-p.330, l.13
- p. 332, ll.10-24
- p. 334, l.18-p. 335, l.25
- p. 337, l.9-p. 339, l.9
- P. 339, l.10-p.341, l.10
- P. 341, l.11-p. 342, l.3
- P. 362, l.7-p. 364, l.20
- P. 364, l.21-p. 366, l.19
- p. 368, l.19-p. 370, l.22
- p. 515, l.10-p. 519, l.9
- p. 525, l.22-p. 527, l.3
- p. 619, l.20-p. 621, l.9
- p. 632, ll.2-8
- p. 769, ll.14-19
- p. 844, l.16-p. 845, l.10
- p. 852, ll.19-24
- p. 853, ll.4-7
- p. 855, l.17-p. 858, l.21
- 3. Plaintiff's Exhibit 1 (Employment Agreement)
- 4. Plaintiff's Exhibit 3 (Reseller Agreement)
- 5. Plaintiff's Exhibit 4 (A. Andrews Email)
- 6. Plaintiff's Exhibit 5 (List of Suppliers)
- 7. Plaintiff's Exhibit 8 (Termination of Reseller Agreement)
- 8. Plaintiff's Exhibit 10.E (Damages)
- 9. Plaintiff's Exhibit 10.H (Damages)
- 10. Plaintiff's Exhibit 10.J (Damages)
- 11. Plaintiff's Exhibit 15 (Higginbotham Non-Disclosure Agreement)
- 12. Plaintiff's Exhibit 21 (Reseller Agreement)
- 13. Plaintiff's Exhibit 22 (Email – K. Trask & K. Cruse)
- 14. Plaintiff's Exhibit 26 (A. Andrews Email)
- 15. Plaintiff's Exhibit 27 (A. Andrews Email)
- 16. Plaintiff's Exhibit 29 (A. Andrews Email)
- 17. Plaintiff's Exhibit 31 (Comparison Chart)
- 18. Plaintiff's Exhibit 32 (Gallant Non-Disclosure Agreement)
- 19. Plaintiff's Exhibit 33 (A. Andrews Email)
- 20. Plaintiff's Exhibit 34 (A. Andrews Email)
- 21. Plaintiff's Exhibit 39 (TSI Email)

22. Plaintiff's Exhibit 43 (TSI Email)
23. Plaintiff's Exhibit 44 (Encore Payments for Clear Touch Products)
24. Plaintiff's Exhibit 48 (TSI Email)
25. Plaintiff's Exhibit 68 (Valuation Memorandum)
26. Plaintiff's Exhibit 69 (CatchFire Funding Document)
27. Plaintiff's Exhibit 70 (2015 Federal Return)
28. Plaintiff's Exhibit 73 (Affidavit re: Email Issues)
29. Plaintiff's Exhibit 78 (Viola Email)
30. Plaintiff's Exhibit 79 (Viola Email)
31. Plaintiff's Exhibit 80 (Viola Email)
32. Plaintiff's Exhibit 83 (Defendants' Stipulations)
33. Verdict Form
34. Final Order and Judgment
35. Plaintiff's Motion for Judgment Including Restitution, Exemplary Damages, Attorneys' Fees, Expert Witness Fees, Costs and Other Expenses

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

Respectfully submitted,

WYCHE, P.A.

BY:


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Rita Bolt Barker

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March 13, 2019

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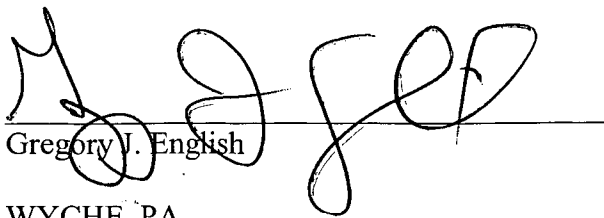
v.

Keone Trask and Clear Touch Interactive, Inc.
f/k/a Clear Touch Interactive, LLC,.....Appellants/Respondents.

PROOF OF SERVICE

I, Gregory J. English, of Wyche, P.A., attorneys for the Respondent/Appellant in the within action, do hereby certify that I have this date served upon opposing counsel the foregoing **RESPONDENT/APPELLANT ENCORE TECHNOLOGY GROUP, LLC'S DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** by first class mail, addressed to the following:

Joseph Owen Smith
Joshua Jennings Hudson
Roe Cassidy Coates & Price PA
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Attorneys for Respondent/Appellant Encore Technology Group,
LLC

March 13, 2019

W Y C H E

Attorneys at Law

March 13, 2019

BY FIRST CLASS MAIL

Hon. Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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Re: Encore Technology Group, LLC v. Keone Trask and Clear Touch Interactive
f/k/a Clear Touch Interactive, LLC
Case No. 2018-001444

Dear Ms. Kitchings:

Enclosed please find an original and a copy of the Initial Brief and Designation of Matter of Respondent/Appellant, Encore Technology Group, LLC, in the above-captioned matter, along with the Proof of Service. Please return file-stamped copies of these documents to us in the self-addressed, stamped envelope provided.

Thank you for your assistance.

Best regards,


Gregory J. English

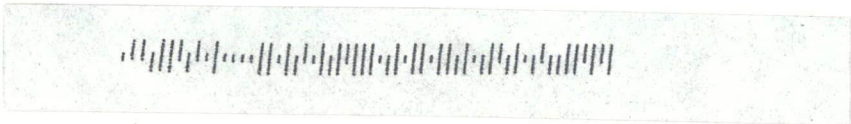
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Enclosures

cc: Joseph O. Smith, Esq.
Joshua J. Hudson, Esq.

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