

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM YORK COUNTY  
Court of Common Pleas

The Honorable Jean H. Toal  
Acting Circuit Court Judge

Appellate Case No. 2019-000164  
Circuit Court Case No. 2015-CP-46-3456

**RECEIVED**  
APR 12 2019  
SC Court of Appeals

Timothy W. Howe, Individually and as Personal Representative of the Estate of  
Wayne Erwin Howe, Deceased, and Jeanette Howe ..... Respondents,

v.

Air & Liquid Systems Corp., Individually and as Successor-in-Interest to  
Buffalo Pumps, Inc., et al. .... Defendants,

Of whom

Cleaver Brooks, Inc. .... Appellant.

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

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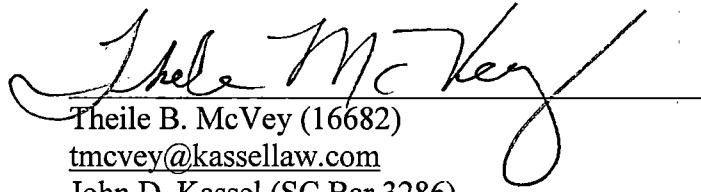
*Counsel for Respondent*

In addition to the material designated by Appellant to be included in the Record of Appeal, Respondents designate the following:

1. Master Discovery/Scheduling Order (10/13/10);
2. Order on Motion to Compel (2/23/18);
3. Order Regarding Cleaver Brooks, Inc. Discovery Motions (3/1/18);
4. Exhibits 1, 3, 4, 5, 7, 12, 16, 17, 18, 19, 20, 21, 22, 23 to Plaintiffs' Motion for Sanctions with Statements of Fees and Costs (*in addition to the brief itself and the other exhibits identified by Appellant*);
5. Pages 474-75 and 1130 to Trial Transcript;
6. Hearing Transcript (1/24/18);
7. Plaintiffs' Motion to Compel Defendant (1/23/18);
8. Exhibits H & I to Plaintiffs' Supplemental Response in Opposition to Cleaver-Brooks' Motion for Summary Judgment (*in addition to the brief itself*);
9. Exhibits B, C, and D to Plaintiffs' Reply in Support of Sanctions;
10. Plaintiffs' 30(b)(6) Notice of Deposition of Defendant Cleaver-Brooks, Inc.: all 5 notices (original, first amended, second amended, third amended, and fourth amended); and,
11. Notice of Filing Affidavits in Support of Plaintiffs' Motion for Sanctions with Statements of Fees and Costs (6/4/18)

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

***[Signature on following page]***



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April 12, 2019

Columbia, South Carolina.

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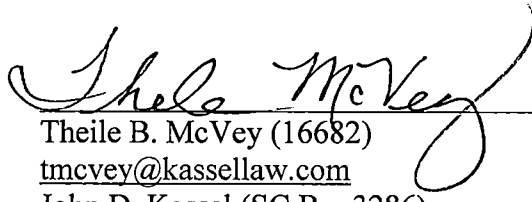
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Of whom

Cleaver Brooks, Inc. .... **Appellant.**

**PROOF OF SERVICE**

The undersigned, an attorney in this matter of the Respondents Timothy W. Howe, Individually and as Personal Representative of the Estate of Wayne Erwin Howe, Deceased, and Jeannette Howe, certifies that I have this 12<sup>th</sup> day of April 2019, served copies of the **Initial Brief of Respondents and Respondents' Designation of Matter to be Included in the Record on Appeal** upon all counsel for Appellants (listed below) by causing them to be deposited in the United States mail with sufficient postage attached.



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April 12, 2019

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