

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable L. Casey Manning

Appellate Case No. 2019-000456

RECEIVED

MAY 31 2019

SC Court of Appeals

Zachary M. Merritt as Personal Representative of the
Estate of James A. Merritt, Jr., Respondent

v.

Merritt, Webb, Wilson & Caruso, PLLC, Appellant

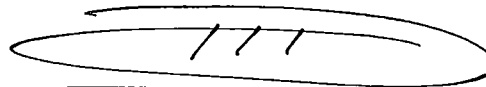
**APPELLANT'S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 209, SCACR, Appellant proposes the following matters for inclusion in
the record on appeal:

1. Summons and Complaint, May 18, 2018
2. Defendant's Motion to Dismiss, or Alternatively, to Stay and to
Compel Arbitration, July 2, 2018
3. Plaintiff's Memorandum in Opposition to Defendant's Motion to Dismiss, or,
alternatively, to Stay and Compel Arbitration, October 3, 2018
4. Defendant's Reply to Plaintiff's Memorandum in Opposition to Defendant's Motion to
Dismiss, or Alternatively, to Dismiss, Stay and Compel Arbitration, October 4, 2018
5. Amended Complaint, October 8, 2018
6. Defendant's Motion to Dismiss, or, Alternatively, to Stay and Compel Arbitration,
October 18, 2018

7. Plaintiff's Memorandum in Opposition to Defendant's Motion to Dismiss, or, Alternatively, to Stay and Compel Arbitration, January 8, 2019
8. Transcript of Hearing, January 10, 2019
9. Order Denying Defendant's Motion to Dismiss or, Alternatively, to Stay and Compel Arbitration, January 25, 2019
10. Defendant's Notice of Motion and Motion for Reconsideration of the Court's Denial of Defendant's Motion to Dismiss or, in the Alternative, to Stay and Compel Arbitration, February 1, 2019
11. Order Denying Defendant's Motion to Reconsider, February 25, 2019
12. Order Denying Defendant's Motion to Reconsider, February 27, 2019

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



Demetri K. Koutrakos, SC Bar No. 11318

Ian T. Duggan, SC Bar No. 80074

Harry A. Dixon, SC Bar No. 103509

Callison Tighe & Robinson, LLC

1812 Lincoln St, Suite 200

PO Box 1390

Columbia, SC 29202-1390

Telephone No. (803)404-6900

Facsimile No. (803)404-6900

jimkoutrakos@callisontighe.com

ianduggan@callisontighe.com

harrydixon@callisontighe.com

ATTORNEYS FOR APPELLANT

MERRITT, WEBB, WILSON & CARUSO, PLLC

May 31, 2019
Columbia, South Carolina

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Merritt, Webb, Wilson & Caruso, Appellant

PROOF OF SERVICE

I certify that I have served the **Appellant's Initial Brief and Designation of Matter** on all counsel of record by causing a copy of them to be hand-delivered on May 31, 2019, addressed to the following:

Matthew T. Richardson, Esquire (S.C. Bar No. 15647)
Eric B. Amstutz, Esquire (S.C. Bar No. 0363)
William M. Wilson, III, Esquire (S.C. Bar No. 15808)
Mary Lucille ("Lucy") Dinkins (S.C. Bar 10177)
Wyche, PA
801 Gervais St., Ste. B
Columbia, SC 29211



Melinda C. Etheridge, Paralegal
CALLISON TIGHE & ROBINSON, LLC
Post Office Box 1390
Columbia, SC 29202-1390
Telephone: (803) 404-6900
Facsimile: (803) 404-6901
ATTORNEYS FOR APPELLANT

May 31, 2019
Columbia, South Carolina

IAN T. DUGGAN - Lawyer
803-404-6964
IanDuggan@callisontighe.com

CALLISON  TIGHE

May 31, 2019

VIA HAND-DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, SC Court of Appeals
1220 Senate Street
Columbia, SC 29201

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MAY 31 2019
SC Court of Appeals

**RE: Zachary M. Merritt v. Merritt, Webb, Wilson & Caruso
Appellate Case No. 2019-000456
Our File No. 6914.001**

Dear Ms. Kitchings:

Enclosed for filing please find the original and one (1) copy of Appellant's Initial Brief and Designation of Matter to be included in the Record on Appeal, along with the original and one (1) copy of the Proof of Service. Please file the originals and return the clocked-in copies to our courier.

By copy of this letter, I am serving same upon all counsel of record.

Thank you for your assistance in this matter.

With kind regards, I am

Sincerely yours,



Ian T. Duggan

ITD/mce
Enclosures

cc: Matthew T. Richardson, Esquire (w/enclosures) - Via Hand-Delivery
Eric B. Amstutz, Esquire (w/enclosures) - Via Hand-Delivery
William M. Wilson, III, Esquire (w/enclosures) - Via Hand-Delivery
Mary Lucille Dinkins, Esquire (w/enclosures) - Via Hand-Delivery
Merritt, Webb, Wilson & Caruso, PLLC (w/enclosures) - Via U.S. Mail