

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GREENVILLE COUNTY
CIRCUIT COURT

The Hon. R. Lawton McIntosh, Circuit Court Judge

Appellate Case No. 2019-000530

RECEIVED
JUL 03 2019
SC Court of Appeals

Jami Powell and Encore Technology Group, LLC,

Of which Encore Technology Group, LLC is the Appellant,

v.

Clear Touch Interactive, Inc. (a Nevada Corporation),

f/k/a Clear Touch Interactive LLC (a Nevada LLC);

Keone Trask and Tamara Trask, Respondents.

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

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

*From Encore Technology Group v. Keone Trask and Clear Touch Interactive, Inc.
(Case No. 2015-CP-23-05757)*

1. Complaint
2. Trial Transcript
 - p. 100, l.8-p. 101, l.9
 - p. 122, ll.14-22
 - p. 122, ll.23-25
 - p. 123, l.1
 - p. 123, ll.14-19
 - p. 123, l.20-p. 125, l.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, l.4-p. 262, l.24
- p. 295, l.1-p. 296, l.17
- p. 302, l.21-p. 303, l.18
- p. 310, l.9-311, l.25
- 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. 354, l.1-359, l.3.
- P. 364, l.21-p. 366, l.19
- p. 368, l.19-p. 370, l.22
- 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.H (Damages)
- 9. Plaintiff's Exhibit 15 (Higginbotham Non-Disclosure Agreement)
- 10. Plaintiff's Exhibit 26 (A. Andrews Email)
- 11. Plaintiff's Exhibit 27 (A. Andrews Email)
- 12. Plaintiff's Exhibit 29 (A. Andrews Email)
- 13. Plaintiff's Exhibit 32 (Gallant Non-Disclosure Agreement)
- 14. Plaintiff's Exhibit 33 (A. Andrews Email)
- 15. Plaintiff's Exhibit 34 (A. Andrews Email)
- 16. Plaintiff's Exhibit 39 (TSI Email)
- 17. Plaintiff's Exhibit 40 (TSI Email)
- 18. Plaintiff's Exhibit 43 (TSI Email)
- 19. Plaintiff's Exhibit 44 (Encore Payments for Clear Touch Products)

20. Plaintiff's Exhibit 48 (TSI Email)
21. Plaintiff's Exhibit 53 (Email)
22. Plaintiff's Exhibit 58 (Email)
23. Plaintiff's Exhibit 73 (Affidavit re: Email Issues)
24. Plaintiff's Exhibit 78 (Viola Email)
25. Plaintiff's Exhibit 79 (Viola Email)
26. Plaintiff's Exhibit 80 (Viola Email)
27. Plaintiff's Exhibit 83 (Defendants' Stipulations)
28. Verdict Form
29. Plaintiff's Motion for Judgment Including Restitution, Exemplary Damages, Attorneys' Fees, Expert Witness Fees, Costs and Other Expenses
30. Final Order and Judgment
31. Receivership Order
32. Clerk's Email dated January 3, 2019, Defendants' Hearing Exhibit #4
33. Defendants' Motion to Dissolve Receivership
34. Transcript of Hearing on Motion to Dissolve Receivership, pp. 17-19
35. Order Staying Receivership

From Jami Powell and Encore v. Clear Touch, Trask, and Tamara Trask
(Case No. 2017-CP-23-06520)

1. Powell Complaint
2. Order Granting Encore's Motion to Intervene
3. Encore Complaint in Powell Case
4. Defendants' Motion to Dismiss Encore
5. Transcript on Hearing on Motion to Dismiss Encore, pp. 17-19
6. Order Granting Defendants' Motion to Dismiss Encore

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

Respectfully submitted,

WYCHE, P.A.

BY:



Gregory J. English
Rita Bolt Barker

200 East Camperdown Way
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Attorneys for Appellant
Encore Technology Group, LLC

July 1, 2019

Other Counsel of Record:

Joseph Owen Smith
Joshua Jennings Hudson
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Greenville, SC 29603

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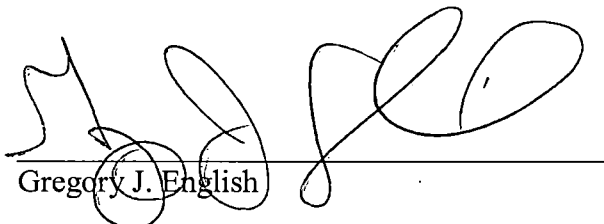
Clear Touch Interactive, Inc. (a Nevada Corporation),
f/k/a Clear Touch Interactive LLC (a Nevada LLC);

Keone Trask and Tamara Trask, Respondents.

PROOF OF SERVICE

I, Gregory J. English, of Wyche, P.A., attorneys for the Appellant in the within action, do hereby certify that I have this date served upon opposing counsel the foregoing **APPELLANT ENCORE TECHNOLOGY GROUP, LLC'S INITIAL BRIEF [CORRECTED]** by first class mail, addressed to the following:

Joseph Owen Smith
Joshua Jennings Hudson
Roe Cassidy Coates & Price PA
Post Office Box 10529
Greenville, SC 29603



Gregory J. English

WYCHE, PA

200 East Camperdown Way
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Greenville, South Carolina 29602
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Attorneys for Appellant Encore Technology Group, LLC

July 1, 2019

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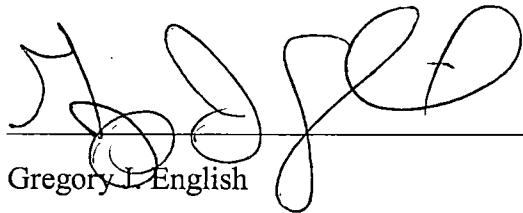
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f/k/a Clear Touch Interactive LLC (a Nevada LLC);

Keone Trask and Tamara Trask, 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 **APPELLANT ENCORE TECHNOLOGY GROUP, LLC'S DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL [CORRECTED]** by first class mail, addressed to the following:

Joseph Owen Smith
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Greenville, SC 29603



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Attorneys for Appellant
Encore Technology Group, LLC

July 1, 2019

W Y C H E

Attorneys at Law

July 1, 2019

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BY FIRST CLASS MAIL

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

Re: *Jami Powell & Encore Technology Group, LLC vs. Clear Touch Interactive, Inc., et al.*,
Appellate Case No. 2019-000530

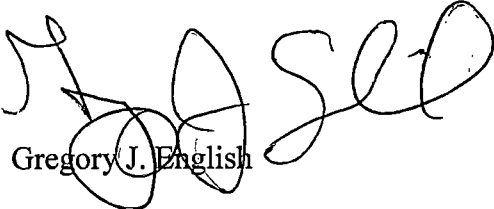
Dear Ms. Kitchings:

In response to your letter dated June 27, 2019, enclosed please find an original and one copy of Appellant Encore Technology Group, LLC's corrected Initial Brief and corrected Designation of Matter in the above-referenced appeal, along with Proof of Service for same. Please return a file-stamped copy of these documents to us in the self-addressed, stamped envelope provided.

By copy of this letter, we are serving one copy of these documents on all parties to this appeal.

Thank you for your assistance.

Best regards,



Gregory J. English

(864) 242-8247
genglish@wyche.com

GJE/sc

Enclosures

cc: Joseph O. Smith, Esq. (by mail)
Joshua J. Hudson, Esq. (by mail)
Keith Munson, Esq. (by mail)

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