

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
The Honorable Jennifer B. McCoy

Trial Court Case No.: 2018-CP-10-00323
Appellate Case No.: 2019-000574

RECEIVED
JUL 30 2019
SC Court of Appeals

Elizabeth Lofton,.....Appellant,

v.

Berkeley Electric Cooperative, Inc. and
John Lucas Tree Expert, Co.,.....Respondents.

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

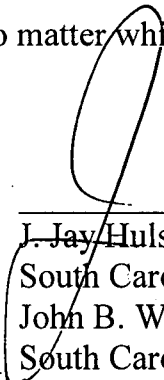
Respondent proposed the following to be included in the Record of Appeal:

1. Lofton Complaint filed July 1, 2015
2. Lofton's Notice of Motion and Motion for Leave to Amend Complaint filed January 19, 2016
3. Consent Order to Amend Complaint filed January 19, 2016
4. Lofton's First Amended Complaint filed January 19, 2016
5. Berkeley Electric Cooperative, Inc., Answer to Lofton's First Amended Complaint filed February 3, 2016
6. John Lucas Tree Expert, Co., Answer to Lofton's First Amended Complaint filed March 14, 2016

7. Consent Scheduling Order filed July 5, 2016
8. John Lucas Tree Expert, Co., Motion for Summary Judgment filed October 3, 2016
9. John Lucas Tree Expert, Co., Memorandum in Support of Motion for Summary Judgment filed October 3, 2016
10. Berkeley Electric Cooperative, Inc., Motion for Summary Judgment filed October 11, 2016
11. Consent Order for Dismissal Pursuant to Rule 40(J) filed October 28, 2016
12. Notice of Motion and Motion to Restore Claim Pursuant to Rule 40(J) filed September 28, 2017
13. Consent Order Restoring Case Pursuant to Rule 40(J) filed January 24, 2018
14. John Lucas Tree Expert, Co., Motion for Summary Judgment filed August 31, 2018
15. John Lucas Tree Expert, Co., Memorandum in Support of Motion for Summary Judgment filed August 31, 2018
16. Berkeley Electric Cooperative, Inc., Motion for Summary Judgment filed September 19, 2018
17. Berkeley Electric Cooperative, Inc., Memorandum in Support of Motion for Summary Judgment filed September 19, 2018
18. Lofton's Motion to Amend filed November 26, 2017
19. Lofton's Response to Defendants' Motions for Summary Judgment filed November 26, 2018
20. Order Granting Summary Judgment filed February 22, 2019
21. Lofton's Notice of Motion and Motion to Reconsider Summary Judgment filed March 4, 2019
22. Form 4 Judgment in a Civil Case Denying Lofton's Motion to Reconsider filed March 6, 2019

23. Lofton's Notice of Appeal filed March 29, 2019

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



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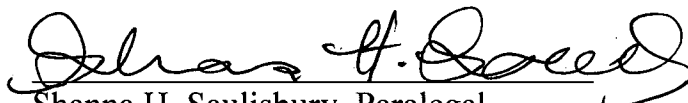
Elizabeth Lofton,.....Appellant,

v.

Berkeley Electric Cooperative, Inc. and
John Lucas Tree Expert, Co.,.....Respondents.

PROOF OF SERVICE

I certify that I have served a copy of the Initial Brief of Respondent Berkeley Electric Cooperative, Inc., and a copy of the Designation of Matter to be Included in the Record on Appeal, with regard to the above cited matter on all parties by depositing a copy of said Initial Brief of Respondent of Berkeley Electric Cooperative, Inc., and a copy of the Designation of Matter in the United States Mail, postage prepaid, on July 27, 2019, addressed to counsel for Appellant, Michael A. Whitsitt, The Whitsitt Law Firm, 1476 Ben Sawyer Boulevard, Suite 3, Mount Pleasant, SC 29464, and addressed to counsel for Respondent John Lucas Tree Expert Co., Helen F. Hiser, McAngus, Goudelock & Courie, LLC, P.O. Box 650007, Mount Pleasant, SC 29465.


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WILLIAMS AND HULST, LLC.

ATTORNEYS AT LAW



July 26, 2019

Appellate work
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Business formation
Commercial disputes
Condemnation
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Insurance coverage
Municipal law
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Probate and estate matters
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Utility industry related matters
Wills
Wrongful death

The Honorable Jenny Abbott Kitchings
Clerk of Court SC Court of Appeals
Post office Box 11629
Columbia, SC 29211

RE: Elizabeth Lofton v. Berkeley Electric Cooperative, Inc. and John Lucas Tree Expert,
Co.; Appellate Case No.: 2019-000574

Dear Ms. Kitchings:

Enclosed are an original and two copies of the Initial Brief of Respondent Berkeley Electric Cooperative, Inc., Designation of Matter to be Included in the Record on Appeal, and Proof of Service with regard to the above cited action.

Please file the originals and return the filed copies to me in the self-addressed stamped envelope provided.

Thank you for your assistance.

With kindest regards, I remain

Sincerely,

WILLIAMS AND HULST, LLC

J. Jay Hulst

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SC Court of Appeals

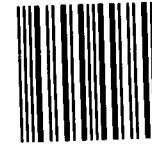
JJH:shs

Enclosures as stated

cc: Michael A. Whitsitt, Esq.
Helen Hiser, Esq.
Pope D. Johnson, III, Esq.
(Via U.S. mail w/enclosures)



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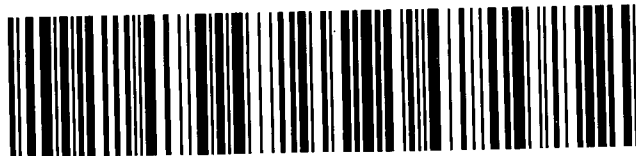
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