

The South Carolina 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.; Airco, Inc.; Airgas USA, LLC f/k/a National Welding Supply, Inc.; Albany International Corp.; Asten-Johnson, Inc.; Aurora Pump Company; A.W. Chesterton Company; Beloit Corporation; Black Clawson Converting Machinery LLC, Individually and as a subsidiary of Davis-Standard LLC; CBS Corporation, A Delaware corporation f/k/a Viacom, Inc., Successor by merger to CBS Corporation, A Pennsylvania Corporation, f/k/a Westinghouse Electric Corporation; CGR Products, Inc. f/k/a Carolina Gasket and Rubber Company; CNA Holdings, Inc., f/k/a Hoechst Celanese Corporation; Celanese Corporation f/k/a Hoechst Celanese Corporation (sued individually and as successor in interest to Fiber Industries, Inc.); Cleaver Brooks, Inc.; Covil Corporation; Crane Co.; Crown Cork & Seal Company, Inc.; Daniel International Corporation; Davis-Standard Corporation, LLC; Dezurik, Inc. d/b/a Dezurik-APCO Williamette Eagle, Inc.; Fisher-Klosterman, Inc., as successor-in-interest to Buell Engineering Co.; Flowserve Corporation, Individually and as successor-in-interest to Durco Pumps; Fluor Enterprises, Inc. f/k/a Fluor Daniel, Inc.; Fluor Daniel Services Corporation; Foster Wheeler Energy Corporation; General Electric Company; The Gorman-Rupp Company; Goulds Pumps, Incorporated; Ingersoll-Rand Company; Linde, LLC f/k/a The Boc Group, Inc. f/k/a Airco, Inc.; Marsulex Environmental Technologies Corporation, Individually and as successor-in-interest to Buell Engineering Co.; Marsulex Environment Technologies, LLC, as Successor-in-Interest to Buell

Engineering Co.; Metropolitan Life Insurance Company, A wholly-owned subsidiary of Metlife Inc.; Peerless Pump Company; Presnell Insulation, Inc; Riley Power, Inc., Individually and as successor-in-interest to Babcock Borsig Power, Inc. and Riley Stoker Corporation, Individually and as successor-in-interest to D.B. Riley; SCAPA Waycross, Inc.; Sepco Corporation; SPX Cooling Technologies, Inc. f/k/a Marley Cooling Technologies, Inc. f/k/a The Marley Cooling Tower Co.; Sterling Fluid Systems (USA) LLC; Trane U.S., Inc. f/k/a American Standard, Inc. f/k/a American Radiator & Standard Manufacturing Company; Union Carbide Corporation; Uniroyal, Inc. f/k/a United States Rubber Company, Inc.; United Conveyor Corporation; Velan Valve Corp.; Viking Pump, Inc.; Warren Pumps LLC; Yuba Heat Transfer Corporation; and Zurn Industries, Defendants,

Of which Cleaver Brooks, Inc. is the Appellant.

Appellate Case No. 2019-000164

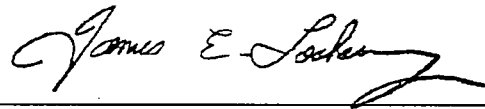
ORDER

Appellant has filed a "consent motion to provide a digital copy of the record on appeal and appendix to the record." Appellant notes that it received this court's deficiency letter relating to the four panel photographic reduction of the transcript Appellant included in the record on appeal and the first appendix to the record, and Appellant explains that it was unaware of this "policy." Appellant seeks to provide digital copies of the record and appendix to avoid incurring additional printing costs and to "avoid the poor-scan-quality concern that motivates [this court's] deficiency letters."

Rule 267 of the South Carolina Appellate Court Rules provides that the type size for all papers or documents filed with the appellate court shall be standard 12-point or larger. Rule 267 further provides, "[w]ith the exception of exhibits as provided in Rule 210(f), no photographic reduction of the Record on Appeal or other paper

is acceptable which reduces the size of the alphabet below that of pica type." Rule 267 not only prevents the poor-scan-quality concerns noted by Appellant, but it also ensures that the court, the parties, and the public are able to read and review all documents included in the record on appeal.

Accordingly, Appellant's motion is denied. However, we accept the record on appeal and the appendix to the record previously filed by Appellant. Within twenty days of this order, Appellant shall file a third appendix to the record, which only includes full page copies of all documents that appear in the record or appendix in four panel reduced-size print. The parties need not amend their final briefs to cite to the third volume of the appendix; this court will review the final briefs previously filed by the parties.



FOR THE COURT

Columbia, South Carolina

cc:

Matthew Todd Carroll, Esquire
M. Elizabeth O'Neill, Esquire
Steven James Pugh, Esquire
Theile Branham McVey, Esquire
Jonathan Marshall Holder, Esquire
Renee Melancon, Esquire
John D. Kassel, Esquire

FILED

August 19, 2019