

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Hon. Edward W. Miller, Circuit Court Judge

Appellate Case No.: 2019-000601

RECEIVED
AUG 21 2019
SC Court of Appeals

Stone International, LLC, and Eugene E. Stone, IVAppellants,

v.

Byte Software, LLC; Byte Software Services, LLC; Benjamin Gause;
Janice Gause, f/k/a Janice Archer, f/k/a Janice Barnett; Carolina First Bank;
Branch Banking and Trust Company; Greg Corbitt; Contemporary
Solutions-USA, Inc.; International Modapts Association, Inc.; and
South Carolina Department of Employment and Workforce,Defendants,

Of Which

Byte Software, LLC, Byte Software Services, LLC,
Benjamin Gause, and Janice Gause are theRespondents.


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

Pursuant to Rule 209, SCACR, Appellants Stone International, LLC, and Eugene E.
Stone, IV, propose the following be included in the Record on Appeal:

1. Plaintiff's Motion to Compel Production, filed October 8, 2010;
2. Order Granting Plaintiff's Motion to Compel, filed November 18, 2010;
3. Letters from Plaintiff counsel to defense counsel regarding failure to comply with the Order Granting Plaintiff's Motion to Compel, December 13, 2010, and January 24, 2011;
4. Third Amended Complaint, with Exhibits A-S, filed October 13, 2011;
5. Defendants' Answer to Third Amended Complaint, filed July 13, 2012;

6. Plaintiff counsel's Motion to be Relieved as Counsel, filed April 6, 2017;
7. Order Granting Plaintiff Counsel's Motion to be Relieved as Counsel, filed May 15, 2017;
8. Defendants' Motion for Partial Summary Judgment, filed June 6, 2017;
9. Plaintiffs' Motion for Summary Judgment, filed June 11, 2017;
10. Memorandum in Support of Plaintiffs' Motion for Summary Judgment, with all exhibits;
11. Affidavit of Josh Smith, filed February 18, 2019;
12. Transcript of Hearing, February 19, 2019, pp. 21-27; pp. 29-30; and pp. 32-34;
13. Order Granting Defendants' Motion to Dismiss for failure to prosecute, filed March 7, 2019;
14. Defendants' Motion to Modify or Amend the Order of Dismissal, filed March 8, 2019;
15. Plaintiffs' Response to Defendants' Motion to Modify or Amend, filed March 13, 2019;
16. Letter to Circuit Court and Defendants' Counsel, March 15, 2019;
17. Amended Order of Dismissal, filed April 5, 2019.

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



Jacob Michael Hughes
S.C. Bar No. 100646
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1616A Paris Avenue West
Port Royal, South Carolina 29935
T: (864) 569-2498

*Attorney for Appellants Stone
International, LLC, and Eugene E. Stone, IV*

August 19, 2019
Port Royal, South Carolina

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CERTIFICATE OF SERVICE

I certify that I have served the foregoing Appellants' Initial Brief and Designation of
Matter upon all other counsel of record by depositing copies of the same in the U.S. mail,
first-class postage prepaid, addressed as follows:

Randall S. Hiller, Esq.
RANDALL S. HILLER, P.A.
850 Wade Hampton Boulevard
Greenville, South Carolina 29609
Attorney for Respondents


Jacob Michael Hughes

August 19, 2019
Port Royal, South Carolina

HUGHES LAW FIRM, L.L.C.

August 19, 2019

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VIA U.S. MAIL

Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
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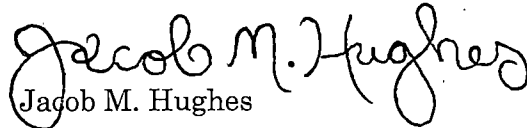
RE: *Stone International, LLC, et al. v. Byte Software, LLC, et al.*
Appellate Case No.: 2009-000601

Dear Ms. Kitchings:

Enclosed please find the original and one copy of Appellants' Initial Brief and Designation of Matter, including the Certificate of Service. Please return a file-stamped copy in the enclosed, postage pre-paid envelope. By copy of this letter, I have served counsel of record for Respondents, as indicated in the Certificate of Service.

With kind regards, I am

Sincerely,


Jacob M. Hughes

cc: Randall S. Hiller, Esq.
850 Wade Hampton Boulevard
Greenville, South Carolina 29609

FROM:

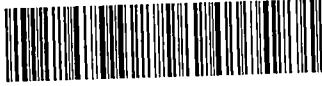
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