

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Letitia H. Verdin, Circuit Court Judge

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Civil Action No. 2015-CP-23-00973

Appellate Case No. 2019-000701

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**RECEIVED**  
DEC 30 2019  
SC Court of Appeals

O'Neal Constructors, LLC.....Respondent,

v.

GE Betz, Inc. d/b/a GE Water & Process Technologies ..... Appellant.

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**RESPONDENT O'NEAL CONSTRUCTORS, LLC'S DESIGNATION OF MATTER TO  
BE INCLUDED IN THE RECORD ON APPEAL**

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Wesley B. Lambert  
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*Attorneys for Respondent, O'Neal  
Constructors, LLC*

Pursuant to Rule 209, SCACR, Respondent, O'Neal Constructors LLC, designates the following material to be included in the Record on Appeal:

1. All items designated in Appellant, GE Betz, Inc. d/b/a GE Water & Process Technologies' Designation of Matter to be Included in the Record of Appeal Filed with the South Carolina Court of Appeals on October 8, 2019.
2. The following portions of the Transcript of Trial, February 25-28, 2019:

<b>Page</b>	<b>Line</b>	<b>-</b>	<b>Page</b>	<b>Line</b>
54	: 04	-	54	: 25
55	: 24	-	56	: 10
56	: 11	-	59	: 02
59	: 03	-	61	: 25
62	: 01	-	62	: 15
62	: 16	-	63	: 20
64	: 14	-	65	: 22
77	: 09	-	79	: 10
78	: 03	-	80	: 12
85	: 23	-	87	: 05
87	: 21	-	89	: 17
89	: 18	-	90	: 08
104	: 06	-	105	: 18
106	: 05	-	106	: 14
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148	: 15	-	149	: 05
186	: 23	-	187	: 11
188	: 25	-	189	: 24
189	: 08	-	191	: 24
191	: 21	-	193	: 06
195	: 23	-	197	: 23
197	: 24	-	200	: 05
207	: 08	-	207	: 11
213	: 16	-	215	: 17
215	: 18	-	220	: 08
223	: 12	-	224	: 07
226	: 24	-	227	: 10
229	: 13	-	230	: 16
241	: 24	-	243	: 01
270	: 07	-	270	: 13
272	: 10	-	273	: 19
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287	: 10	-	293	: 02
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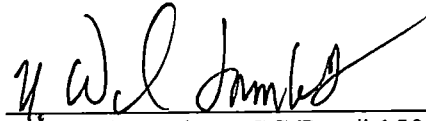
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486	:	22	-	488	:	06
500	:	12	-	500	:	17
564	:	21	-	565	:	21
566	:	07	-	566	:	13

3. The following exhibits from Trial:

Pl.'s Ex. 1	Pl.'s Ex. 9	Pl.'s Ex. 22
Pl.'s Ex. 3	Pl.'s Ex. 10	Pl.'s Ex. 25
Pl.'s Ex. 4	Pl.'s Ex. 12	Pl.'s Ex. 41
Pl.'s Ex. 5	Pl.'s Ex. 13	Def.'s Ex. 5
Pl.'s Ex. 6	Pl.'s Ex. 14	
Pl.'s Ex. 7	Pl.'s Ex. 18	
Pl.'s Ex. 8	Pl.'s Ex. 21	

Respectfully submitted,

December 27<sup>th</sup>, 2019



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**RESPONDENT O'NEAL CONSTRUCTORS, LLC'S  
CERTIFICATION AS TO DESIGNATION OF MATTER  
TO BE INCLUDED IN RECORD ON APPEAL**

---

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*Attorneys for Respondent, O'Neal  
Constructors, LLC*

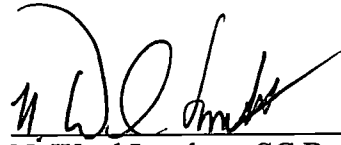
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Counsel for Respondent, O'Neal Constructors, LLC hereby certifies that the Designation of Matter to be Included in Record on Appeal contains no matter which is irrelevant to the appeal.

December 27<sup>th</sup>, 2019



---

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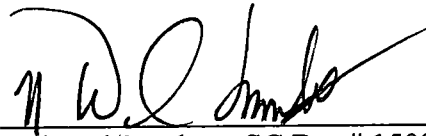
**PROOF OF SERVICE**

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I, the undersigned employee of Harper Lambert, P.A. do hereby certify that I have caused the below referenced to be served via U.S. mail, postage prepaid, to all parties of record at the address(es) shown below:

1. Initial Brief of Respondent, O'Neal Constructors, LLC;
2. Respondent O'Neal Constructors, LLC's Designation of Matter to be Included in the Record on Appeal; and
3. Respondent, O'Neal Constructors, LLC's Certification as to Designation of Matter to be Included in the Record on Appeal.

Gray T. Culbreath, Esq.  
Gallivan, White & Boyd, P.A.  
P.O. Box 7368  
Columbia, SC 29202



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December 27<sup>th</sup>, 2019



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Greenville, SC 29602

December 27, 2019

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SC Court of Appeals

**VIA FEDEX**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, SC 29211

**RE: *O'Neal Constructors, LLC, Respondent v. GE Betz, Inc. d/b/a GE Water & Process Technologies, Appellant***  
**Greenville County Case No. 2015-CP-23-00973**  
**Appellate Case No. 2019-00701**

Dear Ms. Kitchings:

In connection with the above-referenced matter, enclosed please find the original and one copy of the following:

- (1) Initial Brief of Respondent, O'Neal Constructors, LLC;
- (2) Respondent O'Neal Constructors, LLC's Designation of Matter to be Included in the Record on Appeal;
- (3) Respondent, O'Neal Constructors, LLC's Certification as to Designation of Matter to be Included in the Record on Appeal; and
- (4) Proof of Service.

We appreciate you filing the enclosed originals and returning the filed-stamped copies to our office via the enclosed return envelope. If you have any questions regarding the enclosed filing, please do not hesitate to contact me.

Thank you for your consideration in this matter.

Sincerely,

HARPER LAMBERT, P.A.

N. Ward Lambert, Esq.

[wlambert@harperlambert.com](mailto:wlambert@harperlambert.com)

NWL/ljh  
Enclosures

Ms. Kitchings  
Page 2  
December 27, 2019

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cc: Gray T. Culbreath, Esq. (via e-mail, w/enc.)  
Ashley B. Stratton, Esq. (via e-mail, w/enc.)  
Wesley B. Lambert, Esq. (via e-mail, w/enc.)

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UNITED STATES US

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TO THE HON. JENNY ABBOTT KITCHINGS  
SC COURT OF APPEALS  
1015 SUMTER STREET

COLUMBIA SC 29211

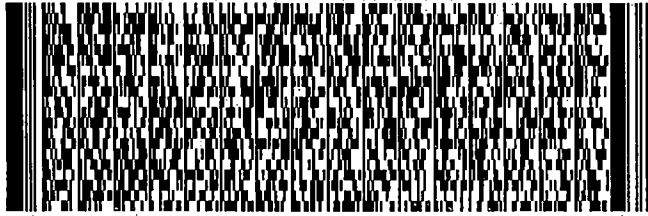
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REF: O'NEAL/GE/APPEAL

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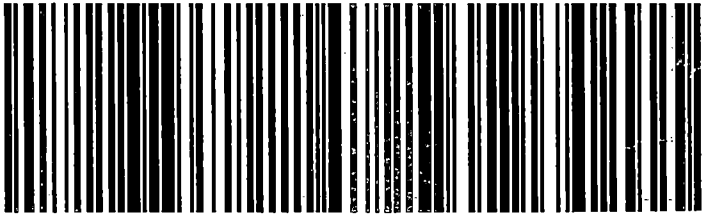


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