

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

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FEB 18 2020

SC Court of Appeals

The Honorable J. Cordell Maddox, Jr., Circuit Court Judge

Case No. 2019-CP-04-01118  
Appellate Case No.: 2020-000003

Phillip Ashley, Kevin Craft, and Jimmy Ouzts,.....Respondents.

v.

Anderson County School District Two Board of Trustees,.....Appellant.

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

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Attorneys for Appellant Defendant Anderson  
County School District Two Board of Trustees

February 18, 2020  
Columbia, South Carolina

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

**Pleadings:**

1. Summons and Complaint, filed June 14, 2019.
2. Motion for Temporary Stay, filed June 14, 2019.
3. Defendant's Return to Motion for Temporary Stay, filed June 25, 2019.
4. Affidavit of Bonnie Knight, filed June 25, 2019.
5. Affidavit of William "Stu" Shirly, filed June 25, 2019.
6. Defendant's Answer and Counterclaim, filed June 28, 2019.
7. Defendant's Motion for Summary Judgment and Memorandum in Support of Summary Judgment, filed July 18, 2019.
8. Plaintiff's Brief, filed July 18, 2019.
9. Defendant's Response to Plaintiff's Brief, filed July 30, 2019.
10. Motion to Alter or Amend Judgment, filed November 19, 2019.
11. Plaintiffs' Return to Defendant's Motion to Alter of Amend Judgment, filed November 25, 2019.

**Testimony:**

12. Hearing Transcript of June 27, 2019.

**Orders:**

13. Order, filed September 19, 2019.
14. Order, filed November 15, 2019.
15. Amended Order, filed November 27, 2019
16. Order, filed December 23, 2019.

[SIGNATURE BLOCK FOLLOWS ON NEXT PAGE]

Respectfully submitted,

DUFF | FREEMAN | LYON, LLC

By: 

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Attorneys for Defendant Anderson County School  
District Two Board of Trustees

February 18, 2020  
Columbia, South Carolina.

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Phillip Ashley, Kevin Craft, and Jimmy Ouzts.....Respondents.

v.

Anderson County School District Two Board of Trustees.....Appellant.

PROOF OF SERVICE

I certify that on February 18, 2020, I have served the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal on the Respondents, Phillip Ashley, Kevin Craft, and Jimmy Ouzts, by mailing copies to their respective counsel of record, via U.S. Mail, with proper postage attached, and addressed as follows:

Kurt Tavernier, Esquire  
Law Offices of Kurt Tavernier, P.A.  
117 West Benson Street  
Anderson, South Carolina 29624

Bruce A. Byrholdt, Esquire  
Byrholdt & Drawdy  
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A T TORNEYS AND COUNSELORS AT LAW

ATTORNEYS: David T. Duff \*† | William C. Freeman | David N. Lyon | Tiffany L. Butler | Suzanne L. Hawkins

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February 18, 2020

**VIA HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate St.  
PO Box 11629 (29211-1629)  
Columbia, SC 29201

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SC Court of Appeals

**Re: Phillip Ashley, Kevin Craft, and Jimmy Outzs, Respondents**  
**v. Anderson County School District Two Board of Trustees, Appellant**  
**Appellate Case No. 2020-000003**

Dear Ms. Kitchings:

Enclosed herewith for filing is an original and two copies of the following documents:

1. Initial Brief of Appellant;
2. [Appellant's] Designation of Matter to be Included in the Record on Appeal; and
3. Proof of Service.

I would appreciate you date stamping the extra copies and providing them our office assistant for further processing.

The Respondents' attorneys of records are being served contemporaneously.

Thank you for your time and cooperation.

Sincerely,



David N. Lyon

DNL/kc  
Encls

c: Kurt Tavernier, Esquire  
Bruce Byrholdt, Esquire  
Kenneth L. Childs, Esquire  
David T. Duff, Esquire