

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM LANCASTER COUNTY  
Court of Common Pleas

Kristi F. Curtis, Circuit Court Judge

Case No. 2018-CP-29-00794

Appellate Case No. 2019-001685

**RECEIVED**

FEB 21 2020

SC Court of Appeals

NGM Insurance Company,..... Appellant,

v.

Miles Insurance Agency, Inc..... Respondent.

APPELLANT'S  
DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL

In accordance with Rule 209, SCACR, Appellant proposes the following to be to be included in the Record on Appeal:

1. Order of September 9, 2019, granting Defendant's Motion to Alter or Amend;
2. Order of May 30, 2019, denying Cross-Motions for Summary Judgment;
3. Order of February 19, 2018, C/A No. 2015-CP-29-810;
4. Complaint in *NGM v. Miles*, C/A No. 2018-CP-29-00794;

5. Complaint in *Webster v. Miles*, C/A No. 2015-CP-29-810;
6. Complaint in *Webster v. Austin*, C/A No. 2015-CP-28-1144;
7. Answer in *NGM v. Miles*, C/A No. 2018-CP-29-00794;
8. Defendant's Motion for Summary Judgment;
9. Memorandum in Support of Defendant's Motion for Summary Judgment;
10. Plaintiff's Cross-Motion for Summary Judgment and Memorandum in Support;
11. Defendant's Motion to Alter or Amend the Order Denying Cross-Motions for Summary Judgment;
12. Plaintiff's Motion for Reconsideration of the Denial of Motion for Summary Judgment;
13. Transcript of the hearing on cross-motions for summary judgment;
14. Excerpt from trial transcript in *Webster v. Miles*, C/A No. 2015-CP-29-810;
15. Deposition of Richard Miles with its Exhibit 1;
16. Deposition of Candice Short with its Exhibit 1;
17. Deposition of Janet Webster;
18. Deposition of Brian Brennan;
19. Affidavit of Richard Miles;
20. Plaintiff's tender-of-defense letter;
21. Defendant's letter rejecting tender of defense;
22. Plaintiff's demand letter;
23. Webster and NGM's Settlement Agreement;
24. NGM's settlement check payable to Webster;

25. 1994 Agency Agreement between NGM and Miles.

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

Respectfully submitted,

**DOUGALL & COLLINS**

A handwritten signature in black ink, appearing to read "Michal Kalwajtys", written over a horizontal line.

Thomas F. Dougall

✓ Michal Kalwajtys

1700 Woodcreek Farms Rd.

Elgin, SC 29045

(803) 865-8858

Attorneys for Appellant

NGM Insurance Company

Columbia, South Carolina  
February 21, 2020

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM LANCASTER COUNTY  
Court of Common Pleas

Kristi F. Curtis, Circuit Court Judge

Appellate Case No. 2019-001685

**RECEIVED**

FEB 21 2020

SC Court of Appeals

Miles Insurance Agency, Inc., ..... Respondent,

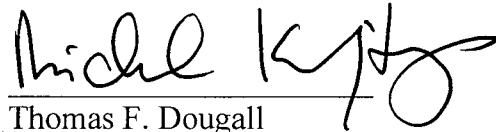
v.

NGM Insurance Company, ..... Appellant.

PROOF OF SERVICE

I certify that I have served the Initial Brief of the Appellant and the Appellant's Designation of Matter to be Included in the Record on Appeal on counsel for the Respondent, Miles Insurance Agency, Inc., by depositing their copies in the United States Mail, postage prepaid, on February 21, 2020, addressed to Bernie W. Ellis, Esq., BURR & FORMAN, LLP, Post Office Box 447, Greenville, SC 29602.

February 21, 2020



Thomas F. Dougall  
✓ Michal Kalwajtys  
1700 Woodcreek Farms Rd.  
Elgin, SC 29045  
(803) 865-8858  
Attorneys for Appellant