

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

RECEIVED

Daniel D. Hall, Circuit Court Judge

FEB 21 2020

SC Court of Appeals

Appellate Case No. 2019-001440

Karen K. Baber, Appellant,

vs.

Summit Funding, Inc.; Appraisal Innovations, LLC; Brian L. Blue; The Gillen Law Firm, P.A.; Michael F. Gillen; Allen Tate Co., Inc.; Colleen Coesens; Jonathan Garvey; Robert Ouzts; Connie Delaney and Gloria Long-Robinson, Defendants,

Of which Summit Funding, Inc.; Allen Tate Co., Inc.; Colleen Coesens; Jonathan Garvey, Robert Ouzts; Connie Delaney; and Gloria Long-Robinson are the Respondents.

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

Summit Funding, Inc. proposes the following records (and their Exhibits) to be included in the Record on Appeal:

1. Order Granting Motion for Summary Judgment (Tate Respondents) (Filed May 29, 2019)
2. Order Granting Summary Judgment in Favor of Summit Funding (Filed May 29, 2019)
3. Form 4 Order Denying Motion to Reconsider (Filed July 29, 2019)
4. Verified Complaint (Filed May 29, 2018)
5. Notice of and Motion to Dismiss Summit Funding as a Party (Filed June 28, 2018)
6. Answer (Tate Respondents) (Filed July 30, 2018)

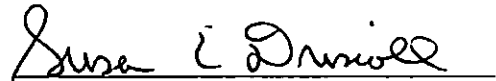
7. Order Granting in Part and Denying in Part Defendant Summit Funding's Motion to Dismiss (Filed January 31, 2019)
8. Answer of Summit Funding (Filed February 14, 2019)
9. Deposition Transcript of Karen Kirby Baber (Filed March 5, 2019)
10. Motion for Summary Judgment and exhibits (Tate Respondents) (Filed March 5, 2019)
11. Notice of and Motion for Summary Judgment (Summit Funding) (Filed March 15, 2019)
12. Affidavit of Chris Anderson (Filed March 15, 2019)
13. Affidavit of Jana Catching (Filed March 15, 2019)
14. Affidavit of Plaintiff Karen K. Baber in Opposition to the Allen Tate Respondents' Motion for Summary Judgment. (Filed April 1, 2019)
15. Affidavit of Plaintiff Karen K. Baber in Opposition to Summit Funding, Inc.'s Motion for Summary Judgment (Filed March 29, 2019)
16. Memorandum of Law in Support of Motion for Summary Judgment (Tate Respondents) (Filed March 28, 2019)
17. Memorandum in Support of Summit's Motion for Summary Judgment (Filed April 3, 2019)
18. Transcript of Record (Summary Judgment hearing held April 3, 2019)
19. Notice of Motion and Motion to Reconsider, Alter and Amend Judgment (Baber) (Filed June 6, 2019)
20. Memorandum in Support of Motion to Reconsider, Alter and Amend Judgment (Baber) (Filed July 10, 2019)
21. Memorandum of Law in Opposition to Motion to Reconsider Pursuant to Rule 59(e), SCRCP (Tate Respondents) (Filed July 10, 2019)
22. Summit's Response to Plaintiff's Rule 59(e) Motion (Filed July 10, 2019)
23. Form 4 Order Denying Motion to Reconsider (Filed July 29, 2019)
24. Notice of Appeal filed with the South Carolina Court of Appeals (Filed August 28, 2019)

25. Notice of Appeal filed with the York County Clerk of Court (Filed September 30, 2019)
26. Motion to Dismiss Appeal (Filed September 30, 2019)
27. Response to Motion to Dismiss Appeal (Appellant) (Filed October 3, 2019)
28. Response to Motion to Dismiss Appeal (Summit Funding) (Filed October 3, 2019)
29. Order Denying Motion to Appeal (Filed December 20, 2019)

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

Date: 02/20/2020

Respectfully submitted,



Susan E. Driscoll, S.C. Bar No. 71447

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vs.

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Michael F. Gillen; Allen Tate Co., Inc.; Colleen Coesens; Jonathan Garvey; Robert Ouzts;
Connie Delaney and Gloria Long-Robinson, Defendants,

Of which Summit Funding, Inc.; Allen Tate Co., Inc.; Colleen Coesens; Jonathan Garvey, Robert
Ouzts; Connie Delaney; and Gloria Long-Robinson are the Respondents.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date indicated below she served the
following counsel with a copy of the *Initial Brief of Summit Funding, Inc. and Designation of
Matter to be Included in the Record on Appeal* by mailing a copy of the same via First Class,
U.S. Mail to the addresses shown below.

Glenn E. Bowens
The Bowens Law Firm, P.C.
P.O. Box 424
Winnsboro, S.C. 29180

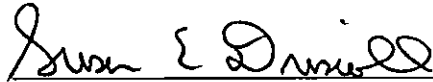
Creighton B. Coleman
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Respectfully submitted,

Date: 02/20/2020



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February 20, 2020

Honorable Jenny Abbot Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, S.C. 29201

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SC Court of Appeals

Re: **Karen K. Baber v. Summit Funding, Inc., et al.**
Appellate Case No. 2019-001440

Dear Ms. Kitchings:

Enclosed please find the original and two (2) copies of the Initial Brief of Summit Funding, Inc., Designation of Matter to be Included in the Record on Appeal and a Certificate of Service in the above captioned matter. Please return filed copies to me in the enclosed envelope.

With kindest regards, I remain

Respectfully,

DRISCOLL SHEEDY, P.A.



Susan E. Driscoll

cc: Scott Bruggemann, Esq.
Thomas L. Ogburn, III, Esq.
Creighton B. Coleman, Esq.
Glenn E. Bowens, Esq.
Russell Racine, Esq.

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COLUMBIA SC 29201

(704) 341-2101

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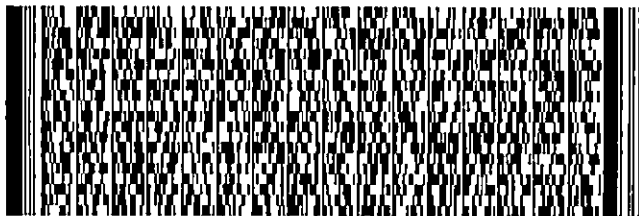
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