

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas  
Michael L. Nettles, Circuit Court Judge

RECEIVED  
FEB 27 2020  
SC Court of Appeals

Appellate Case No. 2019-001370

Walt Parker .....Appellant,

v.

John C. Curl .....Respondent,

v.

Palmetto Floor Covering Installation, LLC,  
and Florence Custom Countertops, Inc., .....Third-Party Defendants.

**RESPONDENT'S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD OF APPEAL**

Respondent proposes the following to be included in the Record on Appeal:

1. Additional Pages of Trial Transcript not designated by Appellant (pp.163 – 167);
2. All items designated by Appellant in his Designation filed with this Court which included:

**ORDERS**

- a) Form 4 Order (Substituted for 4/26/19 Order)[filed August 6, 2019];
- b) Order (Findings of Facts and Conclusion of Law) of August 6, 2019;

- c) Order Denying Reconsideration of August 6, 2019;
- d) Order (Findings of Facts and Conclusions of Law) of April 26, 2019;
- e) Order of February 22, 2019;
- f) Order for Preliminary Injunction of November 19, 2018;
- g) Temporary Restraining Order of November 9, 2018;

**INITIAL PLEADINGS**

- h) Complaint;
- i) Defendant's Third-Party Summons & Answer and Counterclaim & Complaint;
- j) Plaintiff's Answer and Counterclaim;

**MOTIONS AND RESPONSES**

- k) Plaintiff's Motion for Temporary Restraining Order and Temporary Injunction;
- l) Defendant's Amended Motion to Dismiss Preliminary Injunction;
- m) Defendant's Motion for Summary Judgment;
- n) Plaintiff's Motion for Reconsideration;
- o) Plaintiff's Supplemental Memo In Support of Motion for Reconsideration;
- p) Defendant's Memo in Opposition to Reconsideration;

**AFFIDAVITS**

- q) Affidavit of John C. Curl and Exhibits filed November 12, 2018;
- r) Affidavit of Walt Parker and Exhibits filed November 13, 2018;
- s) Affidavit of John C. Curl and Exhibits filed January 30, 2019;
- t) Affidavit of Walt Parker filed February 18, 2019;

**TRIAL TRANSCRIPT AND EXHIBITS**

- u) Transcript of Proceedings pp. 13 — 162, 1. 2; and pp. 168 — 280;
- v) Plaintiff's Exhibits 1 (same as Defendant's 3 - 6), 2, 3 (same as Defendant's 1), 6 (same as Defendant's 2), 9, 10, 11, 16 (Same as Defendant's 7), 18, and 21;
- w) Defendant's Exhibits 8, 9, and 10.

**SCACR 209(C) CERTIFICATION**

Pursuant to SCACR 209(c), we each certify that this designation contains no matter which is irrelevant to the appeal.

Florence, South Carolina

TURNER, PADGET, GRAHAM & LANEY, P.A.

February 26, 2020

BY: 

J. René Josey (S.C. Bar # 3230)

Jeffrey L. Payne

Post Office Box 5478

Florence, SC 29502-5478

(843) 656-4451

RJosey@TurnerPadget.com (Email)

ATTORNEYS FOR RESPONDENT

Other Counsel of Record:  
William Reynolds Williams, Esquire

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas  
Michael L. Nettles, Circuit Court Judge

RECEIVED  
FEB 27 2020  
SC COURT of Appeals

Appellate Case No. 2019-001370

Walt Parker .....Appellant,

v.

John C. Curl .....Respondent,

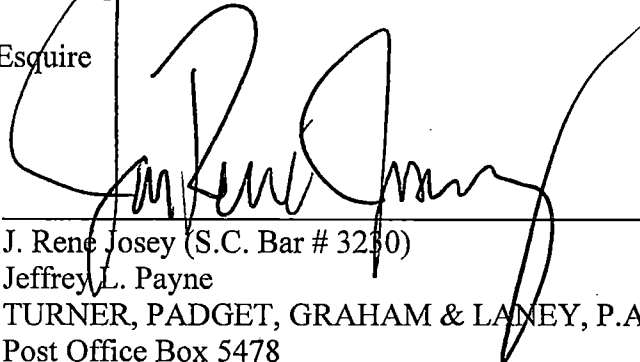
v.

Palmetto Floor Covering Installation, LLC,  
and Florence Custom Countertops, Inc., .....Third-Party Defendants.

**PROOF OF SERVICE**

I certify that I have served a copy of the Respondent's *Designation of Matter* by depositing copies of the same in the United States mail, postage prepaid, on February 26, 2020 to counsel for Appellant at the following addresses:

William Reynolds Williams, Esquire  
Wilcox, Buyck, and Williams  
Post Office Box 1909  
Florence, SC 29503



J. Rene Josey (S.C. Bar # 3250)  
Jeffrey L. Payne  
TURNER, PADGET, GRAHAM & LANEY, P.A.  
Post Office Box 5478  
Florence, SC 29502-5478  
843-656-4451 (Telephone)

ATTORNEYS FOR RESPONDENT

J. RENÉ JOSEY

REPLY TO: FLORENCE OFFICE  
E-MAIL: RJOSEY@TURNERPADGET.COM  
WRITER'S DIRECT DIAL: (843) 656-4451  
WRITER'S DIRECT FAX: (843) 413-5818

February 26, 2020

Hon. Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: Walt Parker v. John Curl  
Appellate Case No.: 2019-001370  
TP File No.: 4009.105

RECEIVED  
FEB 27 2020  
SC Court of Appeals

Dear Ms. Kitchings:

Please find enclosed the following documents with regard to the above-referenced matter for filing:

1. The original and one copy of Respondent's Initial Brief and Designation of Matter for the Record on Appeal; and
2. The original and one copy of the Proof of Service for these documents.

Please file the original documents and return clocked copies to me in the self-addressed stamped envelope provided. By copy of this letter to counsel for the Appellant, I am serving him with these documents as indicated in the Proof of Service.

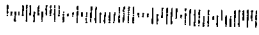
Sincerely,

TURNER, PADGET, GRAHAM & LANEY, P.A.

J. René Josey

JRJ:lap  
Enclosures

Cc: W. Reynolds Williams, Esq.



Hasler FIRST CLASS MAIL  
02/26/2020  
US POSTAGE \$002.80<sup>0</sup>  
011E11680426

**Turner | Padgett**  
P.O. Box 5478, Florence, SC 29502

---

4009.105  
Hon. Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

RECEIVED  
FEB 27 2020  
SC Court of Appeals