

**THE STATE OF SOUTH CAROLINA  
In the Court of Appeals**

---

**APPEAL FROM GREENVILLE COUNTY  
Court Of Common Pleas**

**The Honorable Robin B. Stilwell, Judicial Circuit Court Judge  
Trial Court Case No.: 2017-CP-23-00311**

---

**Appellate Case No. 2019-001506**

---

**Ex Parte: Trustgard Insurance Company..... Appellant-Respondent,**

**In Re:**

**Terence Graham, .....Plaintiff,**

**v.**

**Full Logistics, Inc., ..... Defendant,**

**Of Whom Terence Graham is the ..... Respondent-Appellant.**

---

**Appellant-Respondent Trustgard Insurance Company's Designation of Matter to be  
Included in Record on Appeal**

---

Pursuant to Rule 209, SCACR, Appellant-Respondent designates the following items for inclusion in the Record on Appeal:

**Orders, Judgements, Decrees, and Decisions**

1. Order for Service by Publication, entered May 1, 2017
2. Order Denying Motion for Default, entered May 10, 2017
3. Order of Default Against Full Logistics, entered May 15, 2018
4. Order of Damages by Way of Default, entered July 24, 2018
5. Order for Re-Hearing, entered August 21, 2018

**RECEIVED**  
MAR 16 2020  
SC COURT OF APPEALS

6. Order Granting Motion to Intervene and Denying Motions to Set Aside Default Judgment, entered August 9, 2019

**Pleadings**

7. Summons and Complaint, filed January 23, 2017
8. Defendant Johnnie Foster's Answer, filed March 15, 2017
9. Affidavit of Brian Smith, Esq. Requesting Order for Service by Publication, and accompanying Affidavits of Non-Service of Karen Garrett, filed by April 27, 2017
10. Affidavit of Default and accompanying Affidavit of Service as to Full Logistics of Silvaggio, filed April 30, 2018
11. Affidavit of Service as to Johnnie Foster, filed April 30, 2018
12. Brian Smith's Letter to Drico Fuller and Certificate of Service, filed August 21, 2018
13. Full Logistics' Motion to Vacate and/or Set Aside Judgment for Default Damages, filed November 29, 2018
14. Full Logistics' Memorandum in Support of Motion to Vacate and/or Set Aside Judgment for Default Damages, with accompanying exhibits, filed January 4, 2019
15. Plaintiff's Motion to Strike Affidavits, filed January 7, 2019
16. Trustgard Insurance Company's Motion to Intervene and Set Aside Default Judgment, and accompanying affidavit of Larry Nelson, filed February 22, 2019
17. Trustgard Insurance Company's Memorandum in Support of Motion to Intervene and Set Aside Default Judgment, with accompanying exhibits, filed April 15, 2019
18. Plaintiff's Memoranda in Opposition to Motion to Vacate and Set Aside Default (as to Full Logistics and Trustgard), with accompanying exhibits, filed April 23, 2019
19. Plaintiff's Letter and accompanying exhibits 23 and 24 to Memorandum in Opposition, filed April 24, 2019
20. Plaintiff's Letter and accompanying "Timeline of Events," filed April 24, 2019
21. Trustgard Insurance Company's Supplemental Memorandum in Support of Motion to Intervene and Set Aside Default Judgment, with accompanying exhibit

(Affidavit of Dominic Moscato), filed June 28, 2019

22. Trustgard Insurance Company's Motion to Stay a Formal Ruling Pending Discovery, filed July 18, 2019

**Transcripts**

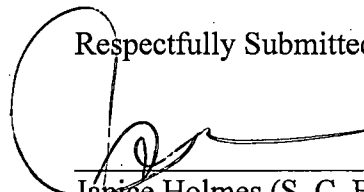
23. Complete Transcript of Damages Hearing before The Honorable Letitia H. Verdin, held June 26, 2018
24. Complete Transcript of Motions Hearing before The Honorable Edward W. Miller, held January 8, 2019
25. Complete Transcript of Motions Hearing before The Honorable Robin B. Stillwell, held April 24, 2019

**Exhibits**

26. Plaintiff's Exhibit 1 (Notebook of Damages Documents) from June 26, 2018 Hearing
27. Court's Exhibit 1 (documents) from April 24, 2019 Hearing

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

Respectfully Submitted,



---

Janice Holmes (S. C. Bar No. 75038)  
Shelley S. Montague (S.C. Bar. No. 68019)  
Gallivan, White & Boyd, P.A.  
1201 Main Street, Suite 1200  
Post Office Box 7368  
Columbia, South Carolina 29202  
Telephone: 803-779-1833  
Facsimile: 803-779-1767

*Attorneys for Appellant-Respondent Trustgard  
Insurance Company*

March 16, 2020

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals, Clerk of Court  
Post Office Box 1629  
Columbia, SC 29211-1629

RE: Ex Parte Trustgard Insurance Company, Appellant-Respondent, in re: Terence  
Graham v. Full Logistics, Inc., Defendant, of whom Terence Graham is  
Respondent-Appellant  
Appellate Case No.: 2019-001506  
GWB File No.: 10006-1

Dear Ms. Kitchings:

Enclosed for filing with your office are the original and two (2) copies of the Appellant-Respondent Trustgard Insurance Company's Designation of Matter to be Included in Record on Appeal in regards to the above-referenced matter. I would appreciate you filing the original and returning a clocked copy to me by the awaiting individual from our office.

With kind regards, I am

Sincerely,

GALLIVAN, WHITE & BOYD, P.A.

Janice Holmes

JH:ammo  
Enclosures  
Cc: All Counsel of Record

**RECEIVED**  
MAR 16 2020  
SC Court of Appeals

**THE STATE OF SOUTH CAROLINA  
In the Court of Appeals**

---

**APPEAL FROM GREENVILLE COUNTY  
Court Of Common Pleas**

**The Honorable Robin B. Stilwell, Judicial Circuit Court Judge  
Trial Court Case No.: 2017-CP-23-00311**

---

**Appellate Case No. 2019-001506**

---

**Ex Parte: Trustgard Insurance Company..... Appellant-Respondent,**

**In Re:**

**Terence Graham, .....Plaintiff,**

**v.**

**Full Logistics, Inc., .....Defendant,**

**Of Whom Terence Graham is the ..... Respondent-Appellant.**

---

**Proof of Service**

---

I certify that I have served the Designation of Matter to be Included in Record on Appeal on the following by depositing a copy of it in the United States Mail, postage prepaid on March 16, 2020:

William F. Barnes, III  
Peters, Murdaugh, Parker, Eltzroth & Detrick, PA  
Post Office Box 457  
Hampton, SC 29924  
wbarnes@pmped.com

and

**RECEIVED**  
MAR 16 2020  
SC Court of Appeals

Brian T. Smith  
714 Pettigru Street  
Greenville, SC 29601  
bsmith@btsmithlaw.com

*Attorneys for Respondent-Appellant Terence Graham*

Dorothy Holley Hogg  
Fulcher Hagler, LLP  
P.O. Box 1477  
Augusta, GA 30903-147  
dhogg@fulcerhlaw.com

*Attorney for Defendant Full Logistics, Inc.*



---

Janice Holmes (S. C. Bar No. 75038)  
Shelley S. Montague (S.C. Bar. No. 68019)  
Gallivan, White & Boyd, P.A.  
1201 Main Street, Suite 1200  
Post Office Box 7368  
Columbia, South Carolina 29202  
Telephone: 803-779-1833  
Facsimile: 803-779-1767

*Attorneys for Appellant-Respondent Trustgard  
Insurance Company*

March 16, 2020