

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

ALISON RENEE LEE, Circuit Court Judge

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Case No. 2016-CP-32-0387  
Appellate Case No. 2019-001609

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**RECEIVED**

**Apr 22 2020**

**SC Court of Appeals**

Rachel Farley, as Trustee of the Louise Farley Revocable Trust Dated February 8, 2005; Rachel R. Farley.....Appellants,

v.

Church of the Harvest of Columbia, Inc.,.....Respondent.

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**RETURN TO RESPONDENT’S MOTION TO EXCLUDE  
MATTER FROM THE RECORD ON APPEAL**

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This matter is before the Court pursuant to the Respondent’s Motion to Exclude Matter from the Record on Appeal. The Appellants are informed and believe the Respondent’s request to exclude from the Record on Appeal the Plaintiffs’ Memoranda in Opposition to the Motion for Summary Judgment filed August 20, 2018 and August 21, 2018, and the Transcript of Record of the hearing on August 22, 2018 should be denied.

Pursuant to Rule 210(c) of the South Carolina Appellate Court Rules, “the Record on Appeal shall include all matter designated to be included by any party under Rule 209 and shall comply with the requirements of Rule 267. The Record shall not, however, include matter which was not presented to the lower court or tribunal....” Rule 210(c), SCACR. None of the matter that

the Respondent seeks to exclude raises a novel issue that was not raised and ruled upon by the lower court.

For the above reasons, the Appellants respectfully request that the Court deny the Respondent's Motion to Exclude Matter from the Record on Appeal.

Respectfully submitted,

**MOORE TAYLOR LAW FIRM, P.A.**

By: 

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*Attorneys for Appellants Rachel Farley, as Trustee  
of the Louise Farley Revocable Trust; and Rachel  
R. Farley, individually*

West Columbia, South Carolina

April 22, 2020

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v.

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**PROOF OF SERVICE**

I certify that I have served the **Initial Reply Brief of Appellants** and the **Return to Respondent's Motion to Exclude Matter from the Record on Appeal** by placing the same in the United States Postal Service, first class mail, with sufficient postage, to the following addresses:

Robert W. Dibble, Jr.  
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West Columbia, South Carolina  
April 22, 2020

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C. David Sawyer, Jr.<sup>†</sup>  
Billy C. Coleman  
1916-2019

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**SC Court of Appeals**

April 22, 2020

**VIA EMAIL (ctappfilings@sccourts.org)**

Jenny Abbott Kitchings, Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

RE: Rachel Farley, as Trustee of The Louise Farley Revocable Trust Dated February 8, 2005,  
and as the Personal Representative of the Estate of Louise Farley v. The Church of the  
Harvest of Columbia, Inc.  
Appellate Case No.: 2019-001609

Dear Madam Clerk:

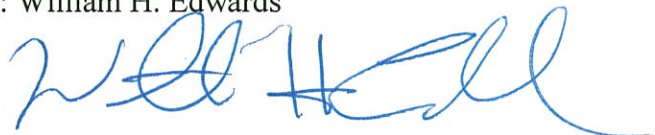
I enclose herewith for filing an original of the Initial Reply Brief of Appellant and the  
Return to Respondent's Motion to Exclude Matter from the Record on Appeal.

Under separate cover, I have provided all parties of record with a copy of the Initial Reply  
Brief of Appellant and the Return to Respondent's Motion to Exclude Matter from the Record on  
Appeal.

Sincerely,

**MOORE TAYLOR LAW FIRM, P.A.**

By: William H. Edwards



WHE/scc

Enclosure

cc: Robert W. Dibble, Jr.  
Drummond B. Farley  
Carole E. Farley  
Nancy E. Farley