

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY COURT OF COMMON PLEAS
THE HONORABLE ROGER M. YOUNG, SR.

Appellate Case No.: 2020-000232

RECEIVED
May 04 2020
SC Court of Appeals

Charleston Laboratories, Inc.,

Appellant,

vs.

Womble, Carlyle, Sandridge & Rice, LLP,

Respondent.

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

Appellant proposes the following be included in the Record on Appeal:

1. July 24, 2017 Summons and Complaint and Expert Affidavit;
2. June 6, 2007 Womble, Carlyle, Sandridge & Rice, LLP engagement letter;
3. June 27, 2007 formation papers for Charleston Laboratories, Inc.;
4. December 10, 2007 Rutley email with attached Executive Summary;
5. April 9, 2008 email from Landmark to Bosse;
6. April 9, 2009 email from Bosse to Baddour;
7. May 20, 2008 email from Bosse to Baddour;
8. May 20, 2008 email from Baddour to Bosse;
9. May 22, 2008 Redline Report;
10. Charleston Laboratories, Inc. Shareholders Agreement;

11. Charleston Laboratories, Inc. Stock Restriction Agreement;
12. Share Certificate Number 12;
13. Rutley email dated June 16, 2008;
14. Stock Split and Share Certificate Number 14;
15. March 16, 2010 email from Baddour to Rutley;
16. March 17, 2010 email from Bosse to Baddour;
17. March 22, 2010 Termination Letter;
18. March 22, 2010 draft Redemption and Release Agreement;
19. March 25, 2010 email from Baddour to Bosse;
20. March 26, 2010 final copies of letter and Redemption and Settlement Agreement;
21. April 27, 2010 email from Baddour to Bosse;
22. May 6, 2010 email from Baddour to Bosse;
23. May 7, 2010 email from Baddour to Willbrand;
24. May 18, 2010 email from Rutley to Baddour;
25. May 18, 2010 email from Willbrand to Baddour;
26. March 10, 2011 email from Baddour to Ryan;
27. March 15, 2011 Cap Table;
28. May, 2011 Native audio file of voicemail;
29. May 26, 2011 email from Knoll to Baddour;
30. July, 2012 Redline Draft Disclosure Statement;
31. August 6, 2014 \$650,000,000.00 developmental drug distribution deal;
32. September 22, 2015 Bray & Long letter;
33. December 1, 2015 email from Scott to Rutley;

34. Third Amended Complaint in the Florida action;
35. Order Granting Summary Judgment in favor of Charleston Labs;
36. Settlement Agreement with Dr. Takigiku;
37. Greenberg Traurig Invoices;
38. Transcript of the deposition of George Scott;
39. Transcript of the deposition of Bridget Berry;
40. Transcript of the deposition of Dean Rutley;
41. Transcript of the deposition of Paul Bosse;
42. Transcript of the deposition of David Baddour;
43. Plaintiff's September 23, 2019 Memo in Opposition to Summary Judgment (with exhibits);
44. September 27, 2019 Hearing Transcript on Motion for Summary Judgment;
45. Plaintiff's Power Point Presentation in Opposition to Summary Judgment;
46. Order Denying Summary Judgment dated October 22, 2019;
47. December 5, 2019 Order concerning Motion to Reconsider (requesting Supplemental Briefing on Statute of Limitations);
48. January 6, 2020 Plaintiff's Brief on Statute of Limitations;
49. January 30, 2020 Order of the Honorable Roger M. Young, Sr.;
50. Notice of Appeal filed February 18, 2020.

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

SIGNATURE PAGE TO FOLLOW

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April 30, 2020

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PROOF OF SERVICE

I certify that I have served the Initial Brief of Appellant and Appellant's Designation of Matter to be Included in the Record on Appeal on Respondent Womble, Carlyle, Sandridge & Rice, LLP, via email as provided for in the South Carolina Supreme Court Order dated March 20, 2020 regarding the operation of the Appellate Courts During the Corona Virus Emergency Respondent's attorneys of record Robert E. Stepp, Esquire, Benjamin R. Gooding, Esquire, and Jasmine D. Smith, Esquire to their respective AIS registered email addresses.

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April 30, 2020



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April 30, 2020

VIA EMAIL: ctappfilings@sccourts.org and
FACSIMILE: 803-734-1839

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals Court Clerk
Post Office Box 11629
Columbia, SC 29211

RE: **Charleston Laboratories, Inc. v. Womble, Carlyle, Sandridge & Rice, LLP**
Appellate Case No. 2020-000232

Dear Ms. Kitchings:

Enclosed herewith for filing in the above-referenced matter is the Initial Brief of Appellant and Appellant's Designation of Matter to be Included in the Record on Appeal. With this filing I am also providing a copy of Appellant's Certificate of Service. Pursuant to the South Carolina Supreme Court Order dated March 20, 2020 regarding the operation of the Appellate Courts During the Corona Virus Emergency, Appellant is only providing one copy of its Initial Brief and Designation of Matter and is serving counsel for the Respondent with Appellant's filing via email.

Please do not hesitate to contact me if you should have any questions regarding this matter.

Thanking you for your assistance, I am

Very Truly Yours,

s/Eric S. Bland

Eric S. Bland

ESB/mfs
Enclosure

April 30, 2020

Page 2

cc: (via email)
Robert E. Stepp, Esquire
Benjamin R. Gooding, Esquire
Jasmine D. Smith, Esquire
Client
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FAX COVER SHEET

DATE: April 30, 2020

FROM: Eric S. Bland

Total number of pages including cover sheet: 48

TO	COMPANY	TELECOPIER NO.
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ADDITIONAL MESSAGES: Initial Brief and Designation of
Matter w/ Proof of Service for Charleston Laboratories, Inc.
Appellate Case No. 2020-000232

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