

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas
Maite D. Murphy, Circuit Court Judge

Case No. 2019-001719

RECEIVED

May 07 2020

SC Court of Appeals

Innovative Waste Management Inc., Respondent,

v.

Crest Energy Partners, GP, LLC, Dunhill Products GP, LLC, Henry Wuertz, Innovative Waste Management, Inc., Crest Energy Partners LP, Dunhill Products LP, Edward H. Girardeau, C. Russ Lloyd, Defendants, Of Whom,

Crest Energy Partners GP, LLC, Crest Energy Partners LP, Dunhill Products, LP, and Henry Wuertz, are the Appellants.

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

David B. Marvel
P.O. Box 22734
Charleston, South Carolina 29413
Ph. (843) 853-4877
Fax 843-305-3981
Email: dave@marvel.lawyer

COMES NOW APPELLANTS, through undersigned counsel, who hereby designate the following documents to be included in the Record on Appeal. Each document includes exhibits unless otherwise stated. Appellant's Initial Brief references the Record using RX[#], each document being so numbered below, with RX#X referencing an exhibit to that item. The Record on Appeal will cross reference duplicative exhibits.

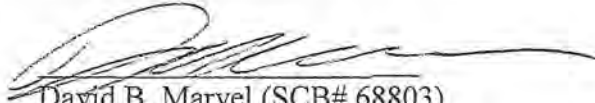
1. April 5, 2013 Consent Order on Motion to Compel
2. August 22, 2013 Order on Plaintiff's Motion to Compel
3. October 3, 2013 Order on Plaintiff's Motion to Compel and Defendants' Motion for Protective Order
4. November 18, 2013 Order on Defendants' Motion to Dismiss
5. April 6, 2015 Order on Motion to Quash
6. June 18, 2019 Order Granting Third Motion to Compel
7. August 1, 2019 Order Granting Motion to Amend Order of June 18, 2019
8. October 1, 2019 Order Granting Motion for Sanctions
9. Second Amended Complaint (March 10, 2014)
10. Answer to Second Amended Complaint / Counterclaims (April 4, 2014)
11. Reply to Crest Energy Partners Counterclaims (May 7, 2014)
12. Transcript of Hearing (April 1, 2013)
13. Transcript of Hearing (June 5, 2019)
14. Transcript of Hearing (September 23, 2019)
15. January 31, 2013 Motion to Compel
16. March 21, 2013 Motion for Protective Order

17. March 23, 2013 Amended Motion to Compel
18. May 3, 2015 letter from Gruenloh to Marvel
19. May 14, 2013 email from Marvel to Judge Dickson (Andrew C. Evans) without exhibits
20. May 15, 2013 letter from Marvel to Gruenloh September 13, 2019 Motion for Sanctions
21. May 21, 2013 email from Evans to Marvel
22. May 23, 2013 email from Welch to all counsel
23. August 20, 2013 letter from Marvel to Judge Dickson
24. August 21, 2013 Motion for Protective Order
25. August 27, 2013 Motion to Compel
26. September 12, 2013 email from Chisum to Judge Goodstein with proposed Order
27. September 17, 2013 letter from Marvel to Judge Goodstein with proposed Order
28. December 5, 2014 Motion to Quash and for Protective Order
29. May 15, 2019 Motion to Compel
30. June 5, 2019 letter from Marvel to Judge Murphy
31. June 25, 2019 Memorandum in response to Third Motion to Compel (June 11, 2019)
32. June 25, 2019 Motion to Alter or Amend
33. Aug 9, 2019 email Drazen to Court
34. August 29, 2019 email (without exhibits)
35. August 30, 2019 Letter to Judge Murphy
36. September 16, 2019 Motion for Sanctions
37. September 18, 2019 email from Marvel to Judge Murphy (Larson)
38. Dorchester County Court of Common Pleas Docket Sheet

CERTIFICATE

By his signature below, Counsel for Appellants hereby Certifies that this Designation of Matter contains no matter that is irrelevant to the appeal.

RESPECTFULLY SUBMITTED:



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ATTORNEY FOR THE APPELLANTS

March 20, 2020
Charleston, South Carolina

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IN THE COURT OF APPEALS

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas
Maite D. Murphy, Circuit Court Judge

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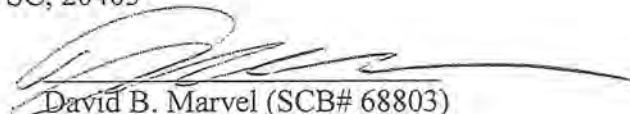
Crest Energy Partners, GP, LLC, Dunhill Products GP, LLC, Henry Wuertz, Innovative Waste Management, Inc., Crest Energy Partners LP, Dunhill Products LP, Edward H. Girardeau, C. Russ Lloyd, Defendants, Of Whom,

Crest Energy Partners GP, LLC, Crest Energy Partners LP, Dunhill Products, LP, and Henry Wuertz, are the Appellants.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 5th day of May, 2020 I served Respondent's counsel with Appellants' Initial Brief and Designation of Matter to be Included in the Record by mailing a copy to their counsel by U.S. Mail, postage prepaid, at the following address:

Wm. Michael Gruenloh
Gruenloh Law Firm
67 Moultrie Street, Second Floor
Charleston, SC, 20403

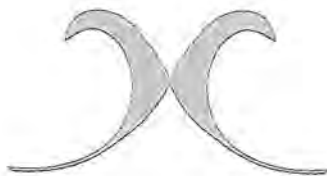


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ATTORNEY FOR THE APPELLANTS

May 5, 2020
Charleston, South Carolina



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Admitted to Practice in South Carolina and Georgia

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May 5, 2020

RECEIVED

May 07 2020

SC Court of Appeals

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

Re: Innovative Waste Mgmt. v. Crest Energy Partners, et al.
Case No. 2019-001719

Dear Ms. Kitchings,

I hope this letter finds you and everyone at the Court well. I have enclosed Appellants' Initial Brief, Designation of Matter to be Included in the Record, and a certificate of service for both.

I recognize that this filing is being made beyond the Second Extension granted by the Court's Order of April 10, 2020. I will file a Motion for Enlargement of Time addressing this issue electronically in accordance with the procedures outlined in In Re: Operation of the Appellate Courts During the Coronavirus Emergency, Order No. 2020-03-20-01 (S.C. Sup. Ct. March 20, 2020). The electronic filing will reach the Court before this hard copy.

Thank you for your continued patience and assistance with this matter. If you have any questions, comments, or concerns, please do not hesitate to contact me. With best regards, I remain

Sincerely,



David B. Marvel

/DBM

cc: Wm. Michael Gruenloh