

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM EDGEFIELD COUNTY
G. Thomas Cooper, Jr., Circuit Court Judge

Case No. 2019-001689



Bettis C. Rainsford,

Appellant.

v.

Apex Bank, Jim Clayton, Matt Daniels, and Brad Hailey,

Defendants.

Of whom, Matt Daniels and Brad Hailey are the Respondents.

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL
OF RESPONDENTS MATT DANIELS AND BRAD HAILEY

Respondents Matt Daniels and Brad Hailey (“Respondents”) propose the following be included in the Record on Appeal, pursuant to Rule 209 of the *South Carolina Rules of Appellate Practice*:

1. Plaintiff’s Second Amended Complaint filed April 30, 2018;
2. Defendants Matt Daniels and Brad Hailey’s Motion to Dismiss Amended Complaint or in the Alternative for Summary Judgment filed September 26, 2018;
3. Plaintiff’s Motion to Compel to Defendants Matt Daniels, Brad Hailey and Apex Bank dated June 19, 2019;
4. Plaintiff’s Motion to Compel Defendants Matt Daniels and Brad Hailey to Appear for Depositions date June 19, 2019;
5. Affidavit of Matt Daniels filed June 28, 2019;
6. Affidavit of Brad Hailey filed June 28, 2019;
7. Defendants Apex Bank, Matt Daniels and Brad Hailey’s Response in Opposition to Plaintiff’s Motions to Compel dated August 13, 2019;

8. Transcript of Hearing dated August 13, 2019;
9. September 9, 2019 Order granting Defendants Brad Hailey and Matt Daniels' Motion to Dismiss; and
10. Appellant's Notice of Appeal dated October 8, 2019.

Counsel for Respondents Matt Daniels and Brad Hailey certify that this Designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,
ROE CASSIDY COATES & PRICE PA

By: s/Ross B. Plyler
James H. Cassidy, SC Bar No. 1160
jcassidy@roecassidy.com
Ross B. Plyler, SC Bar No. 71688
rplyler@roecassidy.com
Post Office Box 10529
Greenville, SC 29603
T: 864.349.2600
F: 864.349.0303

COUNSEL FOR RESPONDENTS
MATT DANIELS AND BRAD HAILEY

Greenville, South Carolina
May 29, 2020

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM EDGEFIELD COUNTY
G. Thomas Cooper, Jr., Circuit Court Judge

Case No. 2019-001689

RECEIVED
May 29 2020
SC Court of Appeals

Bettis C. Rainsford,

Appellant.

v.

Apex Bank, Jim Clayton, Matt Daniels, and Brad Hailey,

Defendants.

Of whom, Matt Daniels and Brad Hailey are the Respondents.

PROOF OF SERVICE

I, the undersigned attorney with Roe Cassidy Coates & Price, hereby certify that Initial Brief and Designation of Matter to be Included in the Record on Appeal of Respondents Matt Daniels and Brad Hailey were served on all counsel of record via electronic mail to the addresses indicated below:

Vincent A. Sheheen
Savage Royall and Sheheen
vsheheen@thesavagefirm.com

Shanon N. Peake
Smith Robinson
shanonp@smithrobinsonlaw.com

H. Freeman Belser
Belser & Belser, P.A.
freeman@belserpa.com

s/Ross B. Plyler
Ross B. Plyler

Greenville, South Carolina
May 29, 2020

From: [Reid Merline Eaddy](#)
To: [Vincent Sheheen](#); shanonn@smithrobinsonlaw.com; [Freeman Belser](#)
Cc: [Ross B. Plyler](#); [Jim Cassidy](#)
Subject: Bettis C. Rainsford v. Apex Bank, Jim Clayton, Matt Daniels and Brad Hailey, Case No. 2019-001689
Date: Friday, May 29, 2020 1:33:56 PM
Attachments: [Respondents' Initial Brief.pdf](#)
[Respondents Designation of Matter \(168\).pdf](#)
[Proof of Service - Court of Appeals \(168\).pdf](#)

Sent on Behalf of Ross B. Plyler

In accordance the recent order from the SC Supreme Court, enclosed and served upon are Initial Brief and Designation of Matter of Respondents Matt Daniels and Brad Hailey regarding the Bettis C. Rainsford v. Apex Bank, Jim Clayton, Matt Daniels and Brad Hailey case, Case No. 2019-001689.

Reid Merline Eaddy
Senior Paralegal to Jack D. Griffeth and Ross B. Plyler
email readdy@roecassidy.com
direct 864-404-3133



Roe Cassidy Coates & Price, P.A. | Greenville, SC

1052 North Church Street Greenville SC 29601
Post Office Box 10529 Greenville SC 29603
p 864 349 2600 f 864 349 0303
www.roecassidy.com

NOTICE: Never trust wiring instructions sent via email. Cyber criminals are hacking email accounts and sending emails with fake wiring instructions. Always confirm wiring instructions in person or by telephone to a verified phone number.

PRIVILEGED AND CONFIDENTIAL: This electronic message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is attorney-client privileged, may be confidential work product, or may be exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is wrongful, is strictly prohibited, and may subject you to civil liability. If you have received this communication in error, please immediately notify us by telephone at 864-349-2600 or by return e-mail, and destroy any copies (electronic, paper, or otherwise) that you may have of this communication.

DEBT COLLECTOR: This firm collects debts for mortgage lenders and other creditors. Any information obtained will be used for that purpose. However, if you have previously received a discharge in bankruptcy, this message is not and should not be construed as an attempt to collect a debt, but only as an attempt to enforce a lien.

IRS CIRCULAR 230 NOTICE: Any statements regarding tax matters made herein, including any attachments, are not formal tax opinions by this firm, cannot be relied upon or used by any person to avoid tax penalties, and are not intended to be used or referred to in any marketing or promotional materials. Moreover, any tax advice contained in this e-mail or any attachment hereto is not intended to be used, and cannot be used, to avoid penalties posed under the Internal Revenue Code.

RECEIVED
May 29 2020
SC Court of Appeals



TRANSMITTAL TO:

Name: South Carolina Court of Appeals

Fax No.: 803-734-1839

TRANSMITTAL FROM: Ross B. Plyler

Total Pages Transmitted (including cover): 30

If all pages are not received or if there is a malfunction, please contact 864-349-2600.

RECEIVED
May 29 2020
SC Court of Appeals

MACHINE IS AVAILABLE TO RECEIVE DOCUMENTS TWENTY-FOUR HOURS PER DAY.

Date Transmitted: May 29, 2020

NOTE: This facsimile contains PRIVILEGED AND CONFIDENTIAL information intended only for use of the specific individual or entity named above. If you or your employer are not the intended recipient of this facsimile or an employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any unauthorized dissemination or copying of this facsimile or the information contained in it is strictly prohibited. If you have received this facsimile in error, please immediately notify the person named at once by telephone and return the original facsimile to us at the above address via the U.S. Postal Service. Thank you.

MESSAGE:

Please contact our office if you have any questions or need additional information.

Thank you.

Reid Merline Eaddy

Senior Paralegal

864-404-3133

readdy@roecassidy.com