

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Donald B. Hocker, Circuit Court Judge

Appellate Case No. 2020-000638

Gerald Nelson,

Appellant,

v.

Christopher S. Harris and Charles L.
Baughman, Sr. d/b/a K&B Towing,
LLC,

Respondents.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

Appellant, Mr. Gerald Nelson, proposes the following be included in the Record on Appeal:

1. Summons and Complaint, dated June 19, 2018;
2. Defendants' Answer, dated July 20, 2018;
3. Defendants' Offer of Judgment Dated January 4, 2019;
4. Dr. Hunt's Deposition Transcript dated August 19, 2019;
5. Trial Transcript, dated January 21, 2020, January 23, 2020, and January 24, 2020;
6. Court's Exhibit Number 6 – Appellant's Proposed Jury Charge "Forbidding the consideration of insurance coverage (or Judge Anderson's 13-20)";

RECEIVED

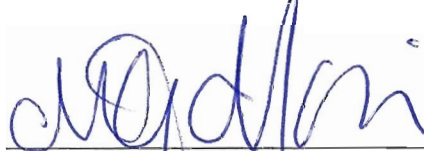
Jul 27 2020

SC Court of Appeals

7. Court's Exhibit Number 7 – Note from and to the Jury;
8. Verdict Form, dated January 24, 2020;
9. Form 4 Order, dated January 30, 2020;
10. Appellant's Notice of Motion and Motion for New Trial *Nisi Additur* or New Trial Absolute, dated January 27, 2020;
11. Respondents' Response in Opposition to Appellant's Motion for New Trial *Nisi Additur* or New Trial Absolute, dated January 30, 2020;
12. Gerald Nelson's Proposed Order Granting Motion for New Trial, electronically filed on April 10, 2020;
13. Order Denying Appellant's Motion for New Trial *Nisi Additur* or New Trial Absolute, dated April 28, 2020;
14. Respondent's Motion for Costs and Reduction of Jury Verdict Pursuant(sic) to Offer of Judgement;
15. Order Granting Respondent's Motion for Costs and Reduction of Verdict due to offer of Judgment dated April 1, 2020.

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

Dated: July 27, 2020



Melissa G. Mosier, Esquire
Amanda N. Pittman, Esquire
MCWHIRTER, BELLINGER & ASSOCIATES, P.A.
119 East Main Street
Lexington, South Carolina 29072
(803) 359-5523 Phone
(803) 359-1248 Fax
Melissam@mcwhirterlaw.com
Amanda@mcwhirterlaw.com
Attorneys for Appellant

Other Counsel of Record:
Wesley B. Sawyer, Esquire
Sarah Caiello, Esquire
John M. Grantland, Esquire
Rogers E. Harrell, III, Esquire
Murphy & Grantland, P.A.
P.O. Box 6648
Columbia, South Carolina 29260
(803) 782-4100 Phone
(803) 782-4140 Fax
Attorneys for Respondents

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Donald B. Hocker, Circuit Court Judge

Case No. 2018-CP-32-02102

Gerald Nelson,

Appellant,

v.

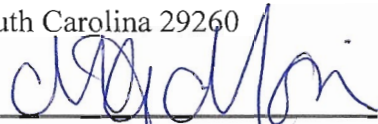
Christopher S. Harris and Charles L. Baughman, Sr.
d/b/a K&B Towing, LLC,

Respondents.

PROOF OF SERVICE

I certify that I have served the Appellant's Initial Brief and Appellant's Designation of Matter to be Included in the Record on Appeal on Respondents, Christopher S. Harris and Charles L. Baughman, Sr., d/b/a K&B Towing, LLC by depositing a copy of it in the United States Mail, postage prepaid, on July 27, 2020 addressed to Respondents' attorneys of record:

John M. Grantland, Rogers E. Harrell, III, Wesley B. Sawyer and Sarah Caiello
MURPHY AND GRANTLAND, P.A.
Post Office Box 6648
Columbia, South Carolina 29260



Melissa G. Mosier, Esquire
Amanda N. Pittman, Esquire
MCWHIRTER BELLINGER & ASSOCIATES PA
119 East Main Street
Lexington, South Carolina 29072
(803) 359-5523 Phone (803) 359-1248 Fax
Melissam@mcwhirterlaw.com
Amanda@mcwhirterlaw.com
Attorneys for Appellant

RECEIVED

Jul 27 2020

SC Court of Appeals

LAW OFFICES

MCWHIRTER, BELLINGER & ASSOCIATES, P.A.

119 EAST MAIN STREET,
LEXINGTON, SOUTH CAROLINA 29072
(803) 359-5523
FAX (803) 359-1248
mail@mcwhirterlaw.com

H. PATTERSON McWHIRTER
THOMAS P. BELLINGER
GARLAND P. McWHIRTER
STACEY TARTE MEYER
MELISSA G. MOSIER
JOSEPH R. DASTA
L. LISA McPHERSON
ELIZABETH McMAHON PENTZ

RICHARD W. SIMMONS, II
JOHN P. MEADORS
AMANDA N. PITTMAN
CHRISTOPHER M. CUNNINGHAM
MADELYN E. DUKES
EMMA B. TAYLOR
ANGELA J. JOHNSON

July 27, 2020

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

RECEIVED

Jul 27 2020

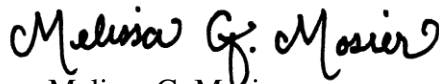
SC Court of Appeals

RE: Gerald Nelson v. Christopher S. Harris and Charles L. Baughman, Sr.,
d/b/a K&B Towing, LLC
Appellate Case No: 2020-000638

Dear Ms. Kitchings:

Enclosed for filing is Appellant's Initial Brief, Designation of Matter and Proof of Service. Please return a clocked copy to my office via email to my paralegal, jo.boyd@mcwhirterlaw.com.

Sincerely,



Melissa G. Mosier

MGM/jsb

cc: Rogers E. Harrell, III, Esq.
Sarah Caiello, Esq.
Wesley Sawyer, Esq.
Post Office Box 6648
Columbia, South Carolina 29260
Attorneys for Respondents

OFFICES

AIKEN • CAMDEN • COLUMBIA • LEXINGTON • NEWBERRY • ORANGEBURG • SUMTER