

FORM 14
DESIGNATION OF MATTER TO BE INCLUDED
ON THE RECORD ON APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

J. Cordell Maddox, Jr, Judge

Case No. 2017-CP-04-02099
Appellate Case No. 2020-000421

RECEIVED

Sep 22 2020

SC Court of Appeals

John Harbin,

Appellant,

v.

April Blair, Tracy Dunn, HUB Enterprises, Inc.,
Shawn Conway, Gallivan White & Boyd,
Sam Nikopoulos, and John Doe,

Respondents,

DESIGNATION OF MATTER TO BE INCLUDED
ON THE RECORD ON APPEAL

1. Summons and Complaint, dated October 9, 2017;
2. Respondent Gallivan White & Boyd Motion to Dismiss, dated November 8, 2017;
3. Amended Summons and Complaint, dated November 13, 2017
4. Respondent Gallivan White & Boyd Motion to Dismiss, dated November 22, 2017;
5. Respondent Shawn Conway's Motion to Dismiss, dated December 6, 2017;
6. Respondent April Blair's Motion to Dismiss, dated December 8, 2017;
7. Motion for Default, dated January 29, 2018;
8. Affidavit of Default, dated January 29, 2018;
9. Appellant Memorandum in Opposition to Respondent GWB's Motion to Dismiss, dated February 5, 2018;
10. Appellant Memorandum in Opposition to Respondent HUB and Conway's Motion to Dismiss, dated February 5, 2018;

11. Appellant Memorandum in Opposition to Respondent April Blair's Motion to Dismiss, dated February 5, 2018;
12. Order Granting GWB's Motion to Dismiss, dated February 5, 2019;
13. Order Granting HUB's Motion to Dismiss, dated February 5, 2019;
14. Respondent GWB's Motion for Sanctions, dated February 13, 2019;
15. Appellant's Motion for Reconsideration of Order Granting GWB's Motion to Dismiss, dated February 15, 2019;
16. Appellant's Motion for Reconsideration of Order Granting HUB's Motion to Dismiss, dated February 15, 2019;
17. Respondent GWB's Memorandum in Opposition to Appellant's Motion for Reconsideration, dated February 25, 2019;
18. Appellant's Reply in Opposition to GWB's Motion for Sanction, dated March 7, 2019;
19. Appellant's Response to GWB's Opposition to Appellant's Motion for Reconsideration, dated March 7, 2019;
20. Respondent HUB's Memorandum in Opposition to Appellant's Motion for Reconsideration, dated March 13, 2019;
21. Order Denying Appellant's Motion for Reconsideration on GWB Order, dated October 2, 2019;
22. Order Denying Appellant's Motion for Reconsideration on HUB Order, dated October 2, 2019;;
23. Order, Granting Motion for Sanction, dated October 9, 2019;
24. Appellant's Motion for Reconsideration of Order Granting Motion for Sanctions, dated October 21, 2019;
25. Respondent GWB's Memorandum in Opposition of Appellant's Motion for Reconsideration, dated November 12, 2019;
26. Appellant's Reply to GWB's Memorandum in Opposition to Appellant's Motion for Reconsideration, dated November 19, 2019;
27. Order, denying Appellant's Motion for Reconsideration on Order for Sanctions, dated February 3, 2020;
28. Notice of Appeal, dated March 3, 2020;
29. Order Granting Respondent Blair's Motion to Dismiss, dated April 7, 2020;
30. Appellant's Motion to Reconsider, dated April 17, 2020;
31. Respondent Blair's Memorandum in Opposition to Appellant's Motion for Reconsideration, dated April 24, 2020;
32. Transcript of Hearing on Motion for Reconsideration, conducted on July 11, 2019;
33. Transcript of Hearing on Motion to Dismiss, conducted on February 28, 2020.

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

Anderson, South Carolina
September 21, 2020

s/Donald L. Smith
Donald L. Smith, (Bar No.: 6699)
122 N. Main Street
Anderson SC 29621
Telephone: (864) 642-9284
Facsimile: (864) 642-9285
attorneydonaldsmith@gmail.com
Attorney for Appellant

**FORM 7
PROOF OF SERVICE**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

J. Cordell Maddox, Jr, Judge

Case No. 2017-CP-04-02099
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SC Court of Appeals

John Harbin,

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v.

April Blair, Tracy Dunn, HUB Enterprises, Inc.,
Shawn Conway, Gallivan White & Boyd,
Sam Nikopoulos, and John Doe,

Respondents,

PROOF OF SERVICE

Pursuant to Supreme Court of South Carolina's Amended Order 2020-05-29-02, I certify that I have served a copy of Initial Brief of Appellant, Designation of Matter to be Included on Record on Appeal, and Proof of Service, upon The Honorable Jenny Abbott Kitchings, Clerk of South Carolina Court of Appeals, The Honorable Richard Shirley, Anderson County Clerk of Court and the Respondents, by and through their respective counsel of record, via the Attorney Information System in the addresses as follows:

Ms. Jenny Abbott-Kitchings

ctappfilings@sccourts.org

Attorneys for Defendants Gallivan White & Boyd, PA and Sam Nikopoulos:

Mr. Alfred Johnston Cox, Esquire

jcox@gwblawfirm.com

Ms. Jessica W. Laffitte, Esquire

jlaffitte@gwblawfirm.com

Mr. Samuel W. Outten, Esquire

sam.outten@nelsonmullins.com

Ms. Katie Elizabeth Towery, Esquire

katie.towery@nelsonmullins.com

Attorneys for Defendants Shawn Conway and HUB Enterprise, Inc.

Mr. Robert Wilder Hart
Mr. Steven James Pugh

wharte@richardsonplowden.com
spugh@richardsonplowden.com

Attorney for Defendant April Blair

Mr. James P. Walsh

jwalsh@clarksonwalsh.com

For Defendant Tracy Dunn
Office of General Counsel

legalmailservice@doc.sc.gov

A copy of this Notice and Motion are served upon Defendant Tracy Dunn, by and through the Office of General Counsel, at his last known address at the South Carolina Department of Corrections, Post Office Box 21787, Columbia, SC 29221-1787, by depositing a copy of it in the United States Mail, postage prepaid, on September 21, 2020.

The above-mentioned documents have been served on September 21, 2020.

Anderson, South Carolina
September 21, 2020

s/Donald L. Smith

Donald L. Smith, (Bar No.: 6699)

122 N. Main Street

Anderson SC 29621

Telephone: (864) 642-9284

Facsimile: (864) 642-9285

attorneydonaldsmith@gmail.com

Attorney for Appellant

FORM 8
LETTER TO THE COURT OF APPEALS CLERK OF COURT
FILING SECOND NOTICE OF APPEAL

September 21, 2020

The Honorable Jenny Abbott Kitchings
Clerk of Court South Carolina Court of Appeals
P.O. Box 11629, Columbia, SC 29211

RECEIVED
Sep 22 2020
SC Court of Appeals

RE: John Harbin v. April Blair, Tracy Dunn, HUB Enterprises, Inc., Shawn Conway, Gallivan White & Boyd, Sam Nikopolous, and John Doe
C.A. No. 2017-CP-04-02099
Appellate Case No. 2020-000421

Dear Ms. Kitchings:

Please find enclosed for filing Initial Brief of Appellant, Designation of Matter to be Included on Record on Appeal, and Proof of Service of same.

Sincerely,

s/Donald L. Smith
Donald L. Smith (Bar No.: 6699)
122 N. Main Street
Anderson SC 29621
Telephone: (864) 642-9284
Facsimile: (864) 642-9285
attorneydonaldsmith@gmail.com
Attorney for Appellant

CC:

Mr. Samuel W. Otten, Esquire
Ms. Katie Towery, Esquire
Mr. Alfred Johnston Cox, Esquire
Ms. Jessica W. Laffitte, Esquire
Mr. R. Wilder Harte, Esquire
Mr. Steven J. Pugh, Esquire
Mr. James P. Walsh, Esquire
Mr. Tracy Dunn