

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY
COURT OF COMMON PLEAS

Honorable Bentley Price

APPELLATE CASE No. 2020-000551

RECEIVED

Nov 13 2020

SC Court of Appeals

Craig Chappell, on behalf of himself and others similarly situated, Appellant,

v.

Ladles Soups - James Island LLC; Ladlessoups, LLC; Ladles Soups at Cane Bay LLC; Ladles Soups at Citadel Mall LLP; Ladles Soups Calhoun LLC; Ladles Soups Cane Bay LLC; Ladles Soups Coosaw LLC; Ladles Soups Downtown Charleston, LLC; Ladlessoups Fresh Fields, LLC; Ladles Soups @ Freshfields Village, LLC; Ladlessoups Mainstreet, LLC; Ladles Soups Moncks Corner LLC; Ladlessoups Mount Pleasant, LLC; Ladles Franchise Development, LLC; Ladles Franchising Inc; Ladles Fort Mill, LLC; Ladles Knightsville LLC; Ladles West Ashley; Teri Owens; Sue Allen; Tray Allen; Steve Traeger; Erik Dyke; Julie Dyke; Stan Sutton; Carol Sutton; Jason Dalter; Kellie Henderson; Jane Doe 1-25 (Unknown Operating Company and Management Company Owners); John Doe 25-40 (Management Personnel), Defendants,

Of Which Ladles Soups Coosaw LLC, Ladles Soups Downtown Charleston, LLC, Traeger Unlimited d/b/a Ladlessoups Fresh Fields, LLC, Ladles Soups @ Freshfields Village, LLC, Ladles Soups Moncks Corner LLC, Ladles Franchise Development, LLC, Ladles Fort Mill, LLC, Ladles Knightsville LLC, Ladles West Ashley, Steve Traeger, Stan Sutton, Carol Sutton, and Kellie Henderson are the Respondents.

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

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paul@ferraralawfirm.net
Attorney for Respondents

Pursuant to Rule 209(a) SCACR, Appellant designates the following supplemental matters to be included in the Record on Appeal:

1. Summons and Complaint filed February 14, 2018.
2. Answer of Defendant Ladles Fort Mill, LLC filed July 18, 2018.
3. Answer of Defendants Ladles Soups @ Freshfields Village, LLC, Ladles Soup Downtown Charleston, LLC, Ladles Franchise Development, LLC, Dan Sutton and Carol Sutton filed July 18, 2018.
4. Answer of Ladles Soups Moncks Corner, LLC and Ladles Knightsville, LLC filed July 18, 2018.
5. Answer of Ladles West Ashley, LLC filed July 18, 2018.
6. Defendant's Motion to Dismiss Improper Parties and Motion to Disallow Class Certification filed July 24, 2018.
7. Plaintiff's Response to Motion to Dismiss Improper Parties and Motion to Disallow Class Certification filed November 27, 2018.
8. Order of Honorable Jennifer McCoy filed January 29, 2019.
9. Plaintiff's Motion to Compel Discovery Requests filed October 4, 2019.
10. Plaintiff's Motion to have Requests for Admissions Deemed Admitted filed December 23, 2019.
11. Email from Clerk of Court re Trial Roster dated August 20, 2019.
12. Plaintiff's Motion for Continuance of Trial filed August 22, 2019.
13. Respondents' Motion for Summary Judgment filed August 21, 2019.
14. Plaintiff's Motion for Class Certification filed September 11, 2019.
15. Order of Honorable Brentley Price granting summary judgment filed January 30, 2020.

16. Order of Honorable Brentley Price granting summary judgment filed February 11, 2020.
17. Plaintiff's Motion to Reconsider/Alter or Amend the Court's February 11, 2020 Order filed on February 21, 2020.
18. Order of Honorable Brentley Price denying Motion filed February 25, 2020.
19. Suggestion of Death of Appellant Craig Chappell filed October 27, 2020.

CERTIFICATION BY COUNSEL

I, the undersigned counsel, do hereby certify pursuant to Rule 209(c) SCACR that Respondents' Designation of Matter to be Included in the Record on Appeal contains no matter which is irrelevant to this appeal.

Respectfully submitted this 13th day of November, 2020.

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PROOF OF SERVICE

I certify that I have served a copy of the initial brief of respondents and designation of matter by depositing a copy of it in the United States Mail, postage prepaid, on November 13, 2020, addressed to:

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Ladles Fort Mill, LLC; Ladles
West Ashley; Steve Traeger; Stan
Sutton; and Carol Sutton

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Paul B. Ferrara, III*
Janel K. Ferrara*

**(also Admitted in N.C.)*

November 13, 2020

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

Re: Craig Chappell v. Ladles Soups
Appellate Case No.: 2020-000551
Our File No.: 20-532

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Dear Ms. Kitchings:

Please find enclosed Respondents' Initial Brief and Designation of Matter to be Included in the Record on Appeal for filing. I have also enclosed a Proof of Service of the same for filing.

Please file the originals and return a clocked copy to our office in the self-addressed, stamped envelope which is enclosed.

Sincerely,

FERRARA LAW FIRM, PLLC


Paul B. Ferrara, III

Enclosures

cc: Benjamin Scott Whaley Le Clercq, Esq.
David D. Ashley, Esq.