

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

Michael G. Nettles, Circuit Court Judge
Case No.: 2018-CP-21-00227

RECEIVED

Dec 29 2020

SC Court of Appeals

Appellate Case No.: 2020-001027

John Michael Timmons, Jr., d/b/a Tavern on the Loop, Appellant,

v.

First Reliance Bank, Inc.; The Blanton Company, Inc.; JB JR Enterprises, Inc. d/b/a The Blanton Company, Inc.; WW Plasma II, LLC; Dale Porter; F.R. Saunders, Jr.; Hunter Williams; and Joseph B Blanton, individually, Defendants,

Of which First Reliance Bank, Inc.; Dale Porter; F.R. Sanders, Jr. are the Respondents,

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

In addition to the matters designated by Appellant to be included in the record on appeal, Respondents designate the following matters:

Pleadings

1. Timmons' Complaint and Exhibits A, F, G, G-1, I, J, L, M, N, O, Q, and R, filed January 29, 2019.

Motions, Supporting Memoranda & Other Filings and Materials

2. First Reliance's Memorandum in Support of Summary Judgment, including Exhibit D filed May 15, 2020, including Exhibit A-1 filed May 19, 2020.

3. First Reliance's Supplemental Memorandum in Support of Summary Judgment with Exhibits, filed June 8, 2020.
4. First Reliance's Memorandum in Opposition to Timmons' Motion to Reconsider, filed July 9, 2020.
5. Affidavit of Coit Yarborough, dated May 12, 2020, and filed with the court as Exhibit E to First Reliance's Motion for Summary Judgment, dated May 15, 2020.

Transcripts

6. Timmons Deposition Transcript Vol. I, dated October 9, 2018 (pp. 64-68).
7. Timmons Deposition Transcript Vol. II, dated August 20, 2019 (pp. 67-69, pp. 71-75, p. 81, p. 91, pp. 99-102, p. 110, pp. 122-23, pp. 133-36).
8. Joseph Blanton Deposition Transcript Vol. I, dated January 16, 2020 (p. 60, pp. 99-100, p. 107, pp. 111-13, p. 117, pp. 120-21, pp. 179-83; Ex. 1., Ex. 5, Ex. 29).
9. Joseph Blanton Deposition Transcript Vol. II, dated January 22, 2020 (pp. 8-13, pp. 23-24, pp. 31-41, p. 54, pp. 81-82, p. 120, p. 135, pp. 150-51; Ex. First Reliance 2; Ex. 8).
10. Dale Porter Deposition Transcript, dated January 24, 2020 (pp. 21-24, p. 69, pp. 93-94, pp. 128-29, pp. 146-47, pp. 153-55, pp. 166-71, pp. 174-77, p. 183, p. 276; Ex. 11, Ex. 16).
11. May 20, 2020 Hearing Transcript on Timmons and First Reliance's Motions for Summary Judgment.

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d/b/a The Blanton Company, Inc.; WW Plasma II, LLC; Dale Porter; F.R.
Saunders, Jr.; Hunter Williams; and Joseph B Blanton, individually,
Defendants,

Of which First Reliance Bank, Inc.; Dale Porter; F.R. Sanders, Jr. are the
Respondents.

PROOF OF SERVICE

I certify that on the date indicated below, I served the *Initial Brief of Respondent* and
Respondents' Designation of Matter to be included in the Record on Appeal upon Appellant by
e-mailing a copy to counsel for Appellant below at the email address registered with the
Attorney Information Service:

David Ashley, Esq.
Ben Le Clercq, Esq.
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Counsel for Appellant

Pursuant to section (g)(3) of the Supreme Court's May 29, 2020 Order on Operation of the Appellate Courts During the Coronavirus Emergency, a copy of the e-mail is enclosed.

This 29th day of December, 2020.

s/ Skyler C. Wilson
D. Gary Lovell, Jr., Esq.
Lacey L. Houghton, Esq.
Skyler C. Wilson, Esq.
*Attorneys for Respondents First Reliance
Bank, Inc.; Dale Porter; and F.R. Saunders, Jr.*

From: [Wilson, Skyler C.](#)
To: ["David Ashley"](#); [Ben Le Clercq](#); [Debbie Mathews](#)
Cc: [Houghton, Lacey L.](#); [Travis, Sarah H.](#)
Bcc: ["056894 Timmons d b a Tavern on the Loop v First Reliance Bancshares et al 056894 E Mail"](#)
Subject: Timmons v. First Reliance Bank - Appeal - Case No. 2020-001027 - Respondents' Initial Brief and Designation of Matter
Date: Tuesday, December 29, 2020 3:30:52 PM
Attachments: [image001.png](#)
[Initial Brief of Respondents First Reliance Bank, Dale Porter, and F.R. Saunders, Jr..PDF](#)
[Respondents Designation of Matter.PDF](#)

David and Ben,

Please find attached for service upon you Respondents' Initial Brief and Designation of Matter to be Included in the Record on Appeal.

Let us know if you have any issues accessing the documents.

Best regards,

Skyler

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