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Jan 25 2021
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Alison Renee Lee, Circuit Court Judge

Appellate Case No. 2020-00719
Case No. 2015-CP-40-0619

Nancy Morris, as Personal Representative of the
Estate of David Allan Woods, Appellant,

v.

State Fiscal Accountability Authority, South Carolina
Insurance Reserve Fund, Andrew J. Bland, Richard T. Burkholder,
Leemon E. Carner, Priscilla Bland, Jerry Speissegger, Jr., Respondents.

**DESIGNATION OF MATTER TO BE INCLUDED IN THE
RECORD ON APPEAL OF RESPONDENTS STATE FISCAL
ACCOUNTABILITY AUTHORITY AND
SOUTH CAROLINA INSURANCE RESERVE FUND**

The Respondents State Fiscal Accountability Authority and South Carolina Insurance Reserve Fund propose that the following be included in the Record on Appeal:

- (1) Amended Order on Declaratory Judgment, filed March 26, 2020
- (2) Order on Declaratory Judgment, filed July 23, 2019
- (3) Order of Substitution, filed March 27, 2018
- (4) Complaint, filed January 29, 2015
- (5) Answer of Defendants South Carolina Budget and Control Board and South Carolina Insurance Reserve Fund, filed March 30, 2015

- (6) Plaintiff's Motion for Summary Judgment, with attachments, filed November 19, 2015
- (7) Affidavit of Anne Macon Smith, filed February 17, 2016
- (8) Defendants' Memorandum in Opposition to Plaintiff's Motion for Summary Judgment, with attachments, filed February 18, 2016
- (9) Defendants' Notice of Motion and Cross Motion for Summary Judgment, filed March 16, 2018
- (10) Plaintiff's Memorandum in Support of her Motion for Summary Judgment, with attachments, filed March 20, 2018
- (11) Plaintiff's Memorandum in Opposition to Defendants' Motion for Summary Judgment, filed March 20, 2018
- (12) Defendant's Memorandum in Opposition to Plaintiff's Motion for Summary Judgment and in Support of Cross Motion for Summary Judgment, with attachments, filed March 21, 2018
- (13) Amended Complaint, Civil Action No. 2017-CP-40-6773, with four documents captioned "Assignment of Rights and Covenant Not to Execute" attached as Exhibit A to that Amended Complaint
- (14) Plaintiff's Motion for Substitution, filed March 26, 2018
- (15) Plaintiff's Memorandum of Law in Response to Defendants' Memorandum in Support of Cross-Motion for Summary Judgment, filed March 26, 2018
- (16) Defendant's Notice of Motion and Motion to Alter or Amend Order, filed August 2, 2019
- (17) Plaintiff's Memorandum Opposing Defendants' Motion to Alter or Amend Order, filed September 11, 2019
- (18) Hearing Transcript, March 26, 2018
- (19) Hearing Transcript, October 3, 2019

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

LINDEMANN & DAVIS, P.A.

BY: s/ Andrew F. Lindemann

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*Counsel for Respondents State Fiscal
Accountability Authority and South Carolina
Insurance Reserve Fund*

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CERTIFICATE OF SERVICE

Pursuant to Section (g)(3) of the Supreme Court’s Order re: Operation of the Trial Courts During the Coronavirus Emergency (As Amended May 29, 2020), the undersigned employee of Lindemann & Davis, P.A., counsel for the Respondents State Fiscal Accountability Authority and South Carolina Insurance Reserve Fund, does hereby certify that service of the **Initial Brief of Respondents State Fiscal Accountability Authority and South Carolina Insurance Reserve Fund** and the **Designation of Matter to be Included in the Record on Appeal of Respondents State Fiscal Accountability Authority and South Carolina Insurance Reserve Fund** was made upon all counsel of record by email only at the below listed email addresses this the 25th day of January 2021:

Thomas J. Rode, Esquire
Thurmond Kirchner & Timbes, P.A.
Email: thomas@tktlawyers.com

Garrett B. Johnson, Esquire
Email: gjohnson@elrodpope.com

s/ Andrew F. Lindemann



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January 25, 2021

Via Email Only

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Email: ctappfilings@sccourts.org

RE: Nancy Morris, as Personal Representative of the Estate of David Allan Woods v. State Fiscal Accountability Authority, South Carolina Insurance Reserve Fund, Andrew J. Bland, Richard T. Burkholder, Leemon E. Carner, Priscilla Bland, Jerry Speissegger, Jr.
Appellate Case Number: 2020-00719
Civil Action Number: 2015-CP-40-0619
Claim Number: B5578
Our File Number: 104.9622

Dear Ms. Kitchings:

Pursuant to Section (c)(6) of the Supreme Court's Amended Order Re: Operation of the Appellate Courts During the Coronavirus Emergency (As Amended May 29, 2020), please find enclosed for filing by email only the **Initial Brief of Respondents State Fiscal Accountability Authority and South Carolina Insurance Reserve Fund** and the **Designation of Matter to be Included in the Record on Appeal of Respondents State Fiscal Accountability Authority and South Carolina Insurance Reserve Fund** in the above referenced matter. By copy of this letter, I am serving copies on all counsel of record by email only.

Thank you for your assistance in this matter. If you have any questions, please advise.

Sincerely,

LINDEMANN & DAVIS, P.A.

Andrew F. Lindemann

AFL/jmb
Enclosures

cc: Thomas J. Rode, Esquire (w/ Enclosures, Via Email Only)
Garrett B. Johnson, Esquire (w/ Enclosures, Via Email Only)