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Feb 16 2021
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

The Honorable James E. Chellis, Master-In-Equity

Appellate Case No. 2020-001127

1st Franklin Financial CorporationRespondent,

v.

Roby A. Adams.....Appellant.

**1ST FRANKLIN FINANCIAL CORPORATION’S DESIGNATION OF
MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

Respondent 1st Franklin Financial Corporation (“1st Franklin” or “Respondent) proposes the following to be included in the Record on Appeal:

1. 1st Franklin’s Summons and Complaint, Filed September 22, 2016;
2. Answer and Counterclaims of Roby A. Adams (“Adams”), Filed December 5, 2016;
3. Adams’ First Amended Answer and Counterclaims, Filed April 26, 2017;
4. Transcript of January 17, 2019 Deposition of Roby A. Adams (“Adams”) pp. 10—20; 32; and 36.
5. 1st Franklin’s Motion for Summary Judgment, Filed May 16, 2019;
6. Memorandum of Law in Support of 1st Franklin’s Motion for Summary Judgment (with Exhibits), Filed July 15, 2019;
7. Order Continuing 1st Franklin’s Motion for Summary Judgment, Filed August 15, 2019;

8. Adams' Second Amended Answer and Counterclaims, Filed August 27, 2019;
9. Supplemental Memorandum of Law in Support of 1st Franklin's Motion for Summary Judgment (with Exhibits), Filed March 2, 2020;
10. Transcript of March 5, 2020 Hearing on 1st Franklin's Motion for Summary Judgment pp. 16—27; 71—72; 75—76; 93—95; and 101.
11. Amended Order Granting 1st Franklin's Motion for Partial Summary Judgment, Filed April 21, 2020;
12. Notice of Acceptance of Adam's Offer of Judgment, Filed April 29, 2020;
13. Adams' Notice of Motion and Rule 59 Motion, Filed May 1, 2020;
14. June 3, 2020 E-mail correspondence from John R. Cantrell, Jr. to the Honorable James E. Chellis regarding consent to have Adams' Rule 59 motion decided on briefs;
15. Adams' Brief in Support of Rule 59 Motion, Filed June 19, 2020;
16. 1st Franklin's Response in Opposition to Adams' Rule 59(e) Motion, Filed June 26, 2020;
17. Adams' Reply to 1st Franklin's Response to Rule 59(e) Motion, Filed July 6, 2020; and
18. Order Denying Adams' Motion to Reconsider, Filed July 16, 2020.

The undersigned hereby certifies, pursuant to Rule 209(c), SCACR, that 1st Franklin's Designation of Matter to be Included in the Record on Appeal contains no matter which is irrelevant to the appeal.

Respectfully Submitted,

s/Robert H. Jordan

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Attorneys for 1st Franklin Financial Corporation

February 16, 2021

Charleston, South Carolina

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v.

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PROOF OF SERVICE

The undersigned hereby certifies that on February 16, 2021, he has caused a copy of **Respondent's Initial Brief** and **1st Franklin Financial Corporation's Designation of Matter to be Included in the Record on Appeal** to be served upon all parties of record via e-mail addressed as follows:

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s/ Robert C. Osborne III
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February 16, 2021

Via Email Only

ctappfilings@sccourts.org

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

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SC Court of Appeals

**Re: 1st Franklin Financial Corporation v. Roby A. Adams
Appellate Case No. 2020-001127**

Dear Ms. Kitchings:

Attached for filing in this matter (via email only) please find:

1. *Respondent's Initial Brief,*
2. *Designation of Matter to be Included in the Record on Appeal; and*
3. *Proof of Service.*

Thank you, and with kind regards, I am

Sincerely,

s/ Robert C. Osborne III

Robert C. Osborne III

RCO:ksn
Attachments

cc (via email, w/ att.): John R. Cantrell, Jr.

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