

THE STATE OF SOUTH CAROLINA  
In The Court Of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Honorable Larry B. Hyman

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2009-CP-26-12046

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First American Title Insurance Company.....Respondent

vs.

Michele Paddy Refosco, Attorney at Law.....Defendant

and

Michele Paddy Refosco, Attorney at Law.....Respondent

vs.

AmeriSearches, LLC and Wade Schaffner.....Appellants

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**DESIGNATION OF MATTER OF RESPONDENT, MICHELE  
PADDY REFOSCO, ATTORNEY AT LAW, TO BE INCLUDED IN  
THE RECORD ON APPEAL**

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The Respondent, Michelle Paddy Refosco, Attorney at Law, proposes that the following be included in the Record on Appeal:

1. Summons and Complaint of First American Title Company.
2. Answer and Third Party Complaint of Michele Paddy Refosco dated February 9, 2010 and filed in the Office of the Clerk of Court for Horry County on February 10, 2010.

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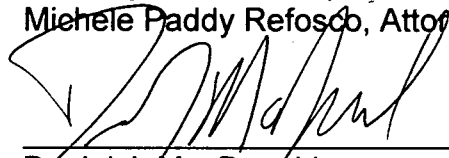
APR 05 2013

**SC Court of Appeals**

3. Answer of the Third Party Defendants to the Third Party Complaint dated April 19, 2010.
4. Defendant/Third Party Plaintiff's Notice of Motion and Motion for Summary Judgment dated June 27, 2011 and filed in the Office of the Clerk of Court for Horry County on June 28, 2011.
5. AmeriSearches'/Schaffner's Notice of Motion and Motion to Dismiss or for Summary Judgment.
6. Order Granting the Defendant/Third Party Plaintiff's, Michele Paddy Refosco, Motion for Summary Judgment and Denying the Third Party Defendants', AmeriSearches, LLC and Wade Schaffner, Motion for Summary Judgment (Not Ending Action) dated April 12, 2012, and filed in the Office of the Clerk of Court for Horry County on April 23, 2012.
7. Notice of Motion and Motion for Relief from and/or to Alter, Amend or Reconsider Order, dated May 2, 2012.
8. Order (Not Ending Action) dated August 27, 2012 and filed in the Office of the Clerk of Court for Horry County on August 29, 2012.
9. Transcript of Wade Schaffner Deposition taken February 9, 2011  
Pages: 7-15, 19-20, 24-27, 29, 30-38, 57-69, 71-78, 100-107.
10. Transcript of Michele Paddy Refosco Deposition taken February 9, 2011  
Pages: 5-9, 12-19, 22-36, 40-51, 53-57, 63-66, 74-76, 79-83.
11. Exhibits to Deposition of Wade Schaffner:
  - (a) Third Party Defendants' Exhibits 2, 3, 4, 5, 6,
  - (b) Defendant's Exhibits 1 (pp. 1, 2, 3, 9, 10, 11, 18-21), 3, 4, 5, 6
12. Exhibits to Deposition of Michele Paddy Refosco:
  - (a) Third Party Defendants' Exhibits 1, 2, 3, 4, 6, 7, 8, 9, 10
  - (b) Defendant's Exhibits 1 (pp. 1, 2, 3, 9, 10, 11, 18-21, 26-28)
13. Transcript of Hearing held September 7, 2011.
14. Transcript of Hearing held August 13, 2012.

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

RICE, MACDONALD & HICKS, PA  
950-48<sup>th</sup> Avenue North, Suite 200  
Myrtle Beach, SC 29577  
(843) 449-4493  
Attorneys for the Respondent,  
Michele Paddy Refosco, Attorney at Law



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Daniel J. MacDonald  
SC Bar # 11986

April 4, 2013

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**PROOF OF SERVICE**

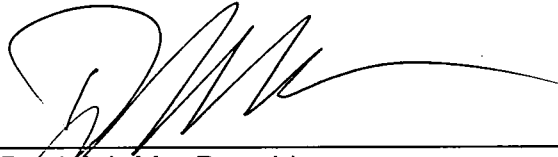
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Daniel J. MacDonald, Esquire, certifies that he is an attorney with the law firm of Rice, MacDonald & Hicks, PA, attorneys for the Respondent, Michele Paddy Refosco, Attorney at Law, and that he served the Initial Brief of the Respondent, Michele Paddy Refosco, Attorney at Law, on First American Title Insurance Company, AmeriSearches, LLC and Wade Schaffner by depositing it in the United States Mail, postage prepaid, on April 4, 2013, addressed to counsel of record as follows:

J. Dwight Hudson, Esquire  
Hudson Law Offices  
1203 48th Avenue North, Suite 111  
Myrtle Beach, SC 29577

W. Cliff Moore, III, Esquire  
Shaun C. Blake, Esquire  
Ellis Lawhorne & Sims  
P.O. Box 2285  
Columbia, SC 29402

and that he has this same day mailed the Initial Brief of the Respondent, Michelle Paddy Refosco, Attorney at Law, to be filed.



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Daniel J. MacDonald  
RICE, MACDONALD & HICKS, PA  
950 - 48<sup>th</sup> Avenue North, Suite 200  
Myrtle Beach, SC 29577  
(843) 449-4493  
Attorney for Respondent, Michele Paddy  
Refosco, Attorney at Law  
SC Bar # 11986

Myrtle Beach, South Carolina

April 4, 2013

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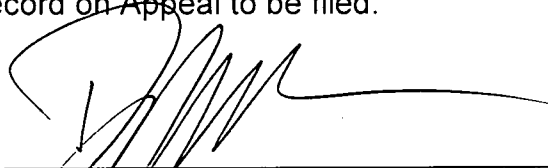
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Daniel J. MacDonald, Esquire, certifies that he is an attorney with the law firm of Rice, MacDonald & Hicks, PA, attorneys for the Respondent, Michele Paddy Refosco, Attorney at Law, and that he served the Designation of Matter of Respondent, Michele Paddy Refosco, to be Included in the Record on Appeal on First American Title Insurance Company, AmeriSearches, LLC and Wade Schaffner by depositing it in the United States Mail, postage prepaid, on April 4, 2013, addressed to counsel of record as follows:

J. Dwight Hudson, Esquire  
Hudson Law Offices  
1203 48th Avenue North, Suite 111  
Myrtle Beach, SC 29577

W. Cliff Moore, III, Esquire  
Shaun C. Blake, Esquire  
Ellis Lawhorne & Sims  
P.O. Box 2285  
Columbia, SC 29402

and that he has this same day mailed the Designation of Matter of Respondent, Michele Paddy Refosco, to be Included in the Record on Appeal to be filed.



---

Daniel J. MacDonald  
RICE, MACDONALD & HICKS, PA  
950 - 48<sup>th</sup> Avenue North, Suite 200  
Myrtle Beach, SC 29577  
(843) 449-4493  
Attorney for Respondent, Michele Paddy  
Refosco, Attorney at Law  
SC Bar # 11986

Myrtle Beach, South Carolina

April 4, 2013

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Rice, MacDonald & Hicks, P.A.  
Attorneys at Law

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H. THOMPSON RICE, JR. (of counsel)  
DANIEL J. MACDONALD +  
DAVID C. HICKS  
ANNA S. MAGANN  
H. T. RICE, III

+ CERTIFIED MEDIATOR

**Parkway Center**  
950 - 48<sup>th</sup> Avenue North, Suite 200  
Myrtle Beach, South Carolina 29577-5434

<http://www.RiceMacLaw.com>

TELEPHONE: 843.449.4493  
FACSIMILE: 843.497.9599

SENDER'S E-MAIL  
DMacDonald@RiceMacLaw.com

April 4, 2013

Honorable Jenny Abbott Kitchings  
Clerk of South Carolina Court of Appeals  
1015 Sumter Street  
PO Box 11629  
Columbia, SC 29211

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APR 05 2013  
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Re: First American Title Insurance Company v. Michele Paddy Refosco,  
Attorney at Law and Michele Paddy Refosco, Attorney at Law v.  
AmeriSearches, LLC and Wade Schaffner  
Case No. 2009-CP-26-12046  
Appellate Case No. 2012-213001

Dear Ms. Kitchings:

Enclosed please find the following documents for filing in the above-captioned action:

1. Original and three (3) copies of the Initial Brief of the Respondent, Michelle Paddy Refosco, Attorney at Law, with Proof of Service;
2. Original and three (3) copies of the Designation of Matter of Respondent, Michele Paddy Refosco, to be Included in the Record on Appeal, with Proof of Service; and
3. Self-addressed, stamped envelope for the return of the filed copies to my office.

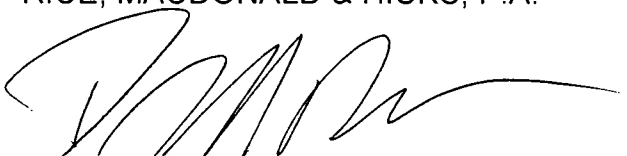
I am, by copy of this letter, serving copies of the Initial Brief of the Respondent, Michelle Paddy Refosco, Attorney at Law, Designation of Matter of Respondent, Michelle Paddy Refosco, Attorney at Law, to be Included in the Record on Appeal, and Proofs of Service on J. Dwight Hudson, Esquire, attorney for the Appellants, and W. Cliff Moore, III, Esquire and Shaun C. Blake, Esquire, Attorneys for the Respondent, First American Title Insurance Company.

Page Two  
Honorable Jenny Abbott Kitchings  
April 4, 2013

Should you have any questions, please do not hesitate to contact me.

Sincerely,

RICE, MACDONALD & HICKS, P.A.



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Daniel J. MacDonald

DJM/lch

Enclosures

cc: J. Dwight Hudson, Esquire  
Shaun C. Blake, Esquire  
W. Cliff Moore, III, Esquire  
Michele Paddy Refosco, Esquire