

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM Horry COUNTY
Court of Common Pleas

The Honorable Larry B. Hyman
Case No. 2009-CP-26-12046

First American Title Insurance Company Respondent,

v.

Michele Paddy Refosco, Attorney at Law, Defendant and Third Party Plaintiff,

v.

AmeriSearches, LLC and Wade Schaffner, Third Party Defendant,

Of Whom

AmeriSearches, LLC and Wade Schaffner are Appellants.

And

Michelle Paddy Refosco and First American Title Insurance Company are .. Respondents.

**DESIGNATION OF MATTER OF RESPONDENT,
FIRST AMERICAN TITLE INSURANCE COMPANY**

The Respondent, First American Title Insurance Company, 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 Harry County on February 10, 2010.

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 Plaintiffs, 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.

April 8, 2013



W. Cliff Moore, III
Shaun C. Blake
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Columbia, South Carolina 29202

Attorneys for Respondent First American
Title Insurance Company

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First American Title Insurance Company Respondent,

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Of Whom

AmeriSearches, LLC and Wade Schaffner are Appellants.

And

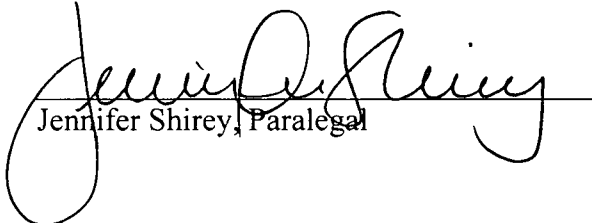
Michelle Paddy Refosco and First American Title Insurance Company are .. Respondents.

PROOF OF SERVICE

I, an employee of the law firm of Ellis, Lawhorne & Sims, P.A., do hereby certify that I served a copy of Respondent, First American Title Insurance Company's Initial Brief and Designation of Matter to Be Included in the Record on Appeal this the 8th day of April, 2013 upon all counsel of record by depositing same in the U.S. Mail, postage prepaid and addressed as follows:

J. Dwight Hudson, Esquire
Hudson Law Offices
1203 48th Avenue North, Suite 111
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ELLIS:LAWHORNE

W. Cliff Moore, III
803 212 4956
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April 8, 2013

Via U.S. Mail

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

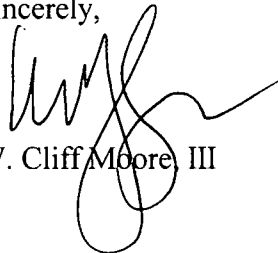
RE: First American Title Ins. Co. v. Michele Paddy Refosco, Attorney at Law and
Michelle Paddy Refosco, Attorney at Law v. AmeriSearches, LLC and Wade
Schaffner
Appellate Case No. 2012-213001
Civil Case No. 2009-CP-26-12046
Our File No. 168-00112

Dear Ms. Kitchings:

Enclosed herein for filing please find the original and two (2) copies of the **Respondent First American Title Insurance Company's Initial Brief and Designation of Matter**. I would appreciate you filing the original and returning a clocked-in copy to my office using the enclosed self-addressed, postage paid envelope.

With kindest regards, I am

Sincerely,



W. Cliff Moore, III

WCM/jas

Enclosure(s)

cc: *via U.S. Mail w/encl.*
J. Dwight Hudson, Esq.
Daniel J. MacDonald, Esq.

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