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Sep 17 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM WILLIAMSBURG COUNTY

Court of Common Pleas

Kristi F. Curtis, Circuit Court Judge

Appellate Case No: 2021-000494

South Carolina Farm Bureau Ins. Co, Appellant

v.

Marion L. Driggers, Shiralee Driggers, Tammy D. Floyd, Estate of Arthur McKenzie, The Travelers Home and Marine Insurance Company, The United States of America acting by and through Its agency, The Internal Revenue Service, and The South Carolina Tax Commission, Defendants,

Of Which The Travelers Home and Marine Insurance Company is the Respondent.

Appellant's Initial Designation Of Matter

To Be Included In The Record On Appeal

The Appellant proposes that the following be included in the Record On Appeal:

- All matter referenced in Appellant's Initial Brief.
- Order dated and filed 3.30.2021 – Granting Travelers Summary Judgment As To Appellant's Cause Of Action For Equitable Indemnity.
- Order dated 4.09.2021 and filed 4.12.2021 – Form 4, Denying Appellant's Motion For Reconsideration.

- Order dated 4.09.2021 and filed 4.12.2021 – Form 4, Denying Appellant’s Motion For Reconsideration.
- Order dated and filed 4.10.2021 – Dismissing Travelers (With Prejudice).
- Order dated and filed 4.10.2021 – Dismissing Travelers (With Prejudice).
- Order by email of 11.23.2020 – Judge Curtis re SJ as to DDF Crossclaims, re Allowing Interpleader and re Pro Rata Numbers
- Order dated 4.28.2016 Relieving Pritchard as Counsel for M Driggers, Granting FB Mtn to Amend, Continuing Travelers and Driggers Motions For Summary Judgment, Holding Interpleader in Abeyance
- Order dated 9.26.2015 Relieving Attorney Dotson.
- Order dated 12.16.2016 re M Driggers Motions, various.
- Summons and Complaint dated 3.06.2014 – inclusive with all attachments
- Driggers, Driggers & Floyd’s Answer, Counterclaims and Crossclaims dated 4.08.2014
- Farm Bureau’s Reply to Driggers, Driggers & Floyd dated 4.29.2014
- SC DOR’s Answer and Consent To Reference dated 4.30.2013
- Travelers Answer and Crossclaims For Interpleader dated 5.16.2014
- Farm Bureau’s Answer to Travelers Answer and Crossclaims dated 6.12.2014
- USA’s Answer and Consent To Reference dated 5.23.2014
- McKenzie’s Answer to Crossclaims and Cross Counterclaims dated 7.02.2014
- Driggers, Driggers & Floyd’s Reply To McKenzie Crossclaims dated 7.29.2014
- Driggers, Driggers & Floyd’s Consent Motion To Amend Answer dated 12.01.2015
- Farm Bureau’s Reply to DD&F Amended Answer, Counterclaims and Crossclaims dated 2.04.2016
- McKenzie’s Amended Claims and Third Party Complaint dated 2.08.2016
- DDF Reply To McKenzie’s Amended Claims dated 3.14.2016
- Amended Summons and Complaint dated 7.13.2016
- DDF Answer & Claims Re Amended Complaint dated 7.28.2016
- USA Answer To Crossclaim dated 9.06.2016
- Travelers Answer to S Driggers, T Floyd Crossclaim dated 9.12.2016
- Travelers Answer To Amended Complaint & Claims For Interpleader and Contribution dated 9.13.2016
- M. Driggers Answer To Amended Complaint dated 8.10.2016
- S. Driggers & T Floyd’s Answer, Counterclaims & Crossclaims re Amended Complaint dated 7.28.2016

- Farm Bureau's Reply to SD and TF Counterclaims & Crossclaims dated 8.29.2016
- Travelers Answer to SD and TF Claims dated 9.12.2016
- Farm Bureau's Reply to Travelers Counterclaims dated 10.13.2016
- Travelers Motion For Summary Judgment re Farm Bureau Equitable Indemnity dated 4.11.2019
- Travelers Motion For Summary Judgment re M Driggers Crossclaim dated 4.11.2019
- Farm Bureau Motion For Summary Judgment As to All Claims and Counterclaims dated 7.06.22020
- Farm Bureau Motion to Alter, Amend, Reconsider dated 4.08.2021
- Notice Of Appeal.
- The Full Transcript of the 9.17.2020 Hearing before Judge K. Curtis.
- The Following Portions or Pages of the Deposition of Marion L. Driggers:
 - Cover & Appearance of Counsel.
 - Exhibit 3.
 - 18-19.
 - 26-27.
 - 35-37.
 - 49-50.
 - 54-58
 - 77-83.
 - 95-98.
 - 210.
 - 225-240.
- The Following Portions or Pages of the Deposition of Shiralee Driggers:
 - Cover & Appearance of Counsel.
 - Exhibit 4.
 - 34-35.
 - 37.
 - 52-57.
 - 58-61.
 - 77-79.
 - 139-142.
- The Following Portions or Pages of the Examination Under Oath of Marion Driggers
 - Cover & Appearance of Counsel.
 - 34-38.

51-52.

58-60.

71-72.

- The Following Portions or Pages of the Examination Under Oath of Shiralee Driggers
Cover & Appearance of Counsel.

6.

9-16.

14-15.

29-30.

34.

- The Following Deposition Exhibits and/or Discovery Documents

Farm Bureau Declarations Sheet

Farm Bureau Policy

Travelers Declarations Sheet

Travelers Policy

Deed to Floyd

Contract For Sale and Purchase

Assignment of Contract For Sale and Purchase

Order of Judge Shuler

Exhibit 3, MD Depo, McKenzie Sworn Statement In Proof of Loss

Travelers Discovery Document 516-518, Fire Department Incident Report

Travelers Discovery Document 29-34, Internal Correspondence

Travelers Discovery Document 493-515, Travis Notes

Travelers Discovery Document 582, McKenzie Statement to SLED

Travelers Discovery Document 3-14, Claim Notes

Exhibit 4, SD Depo, M. Driggers Sworn Statement In Proof of Loss

Travelers Settlement Agreement With McKenzie

(See Following Page For Certification and Signature)

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

/s/ J. Dwight Hudson

J. Dwight Hudson (SCB# 2753)

Hudson & Graham

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Dated: September 17, 2021

Attorney For Appellant

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Kristi F. Curtis, Circuit Court Judge

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South Carolina Farm Bureau Ins. Co, Appellant

v.

Marion L. Driggers, Shiralee Driggers, Tammy D.
Floyd, Estate of Arthur McKenzie, The Travelers
Home and Marine Insurance Company, The
United States of America acting by and through
Its agency, The Internal Revenue Service, and
The South Carolina Tax Commission, Defendants,

Of Which The Travelers Home and Marine Insurance
Company is the Respondent.

Proof Of Service of Appellant's Initial Brief

And Designation

I certify that on September 17, 2021, I served the *Appellant's Initial Brief and Designation of Material To Be Included in the Record* on counsel and the Pro Se party as noted below:

/s/ J. Dwight Hudson

J. Dwight Hudson (SCB# 2753)
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Dated: September 17, 2021

Attorney For Appellant

Counsel: By e-mail directed to the address register with AIS:

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Columbia, SC 29210
tasha.thompson@schousing.com

Attorney for SC Tax Commission

Pro Se Party: By email to the address used during the course of litigation and by US Mail

First Class, with sufficient postage attached

Mr. Marion L. Driggers
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mldriggers@yahoo.com

mgraham hudsonlawoffice.com

From: mgraham hudsonlawoffice.com
Sent: Friday, September 17, 2021 9:50 AM
To: Norton, Mariel; epritchard@pritchardlawgroup.com; Daryl J. Corbin Esq. (corbinlawfirm@corbinlawsc.com); Conits, George (USASC); tasha.thompson@schousing.com; mldrillers@yahoo.com
Subject: RE: South Carolina Farm Bureau v. Marion L. Driggers, et. al. - 2021-000494
Attachments: Filing Ltr, Initial Brief & Designation.pdf; Brief, Initial, Appellant.pdf; Designation, Initial.pdf; Proof Of Service, Initial Brief & Designation.pdf

Dated and Transmitted: September 17, 2021

Enclosed and served are the following: (1) Filing Letter re Appellant's Initial Brief & Designation; (2) Appellant's Initial Brief; (3) Appellant's Initial Designation; and (4) Proof of Service regarding the same.

With best regards,

J. Dwight Hudson, Esq.

Hudson & Graham

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ADMITTED IN S.C. and N.C.*
United States Supreme Court*
U.S. Court of Appeals 4th Circuit**
U.S. District Court – South Carolina**
U.S. District Court – North Carolina*
(Eastern, Middle and Western Districts)
S.C. Supreme Court**
N.C. Supreme Court*
S.C. Court of Appeals**
N.C. Court of Appeals*

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September 17, 2021
Via Email

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SC Court of Appeals

The Hon. Jenny Abbott Kitchings
Clerk, SC Court of Appeals
PO Box 11629
Columbia, SC 29211

Re: South Carolina Farm Bureau Mutual Insurance Company v. Marion L. Driggers, et. al.
Trial Court Case No: 2014-CP-45- 132

Dear Ms. Kitchings:

Enclosed for filing are the following:

1. Appellant’s Initial Brief
2. Appellant’s Designation Of Material To Be Included In The Record
3. Proof of Service of the Same

By copy of this letter, the enclosures are served as per the enclosed Proof of Service.

With best regards, I remain

J. Dwight Hudson, Esq.
J. Dwight Hudson, Esq.

JDH: mag
Enclosure(s): as stated
cc: **Per Proof of Service**