

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM COLLETON COUNTY
Court of Common Pleas

William H. Seals, Jr., Circuit Court Judge

CASE NO.: 2009-CP-15-0595

THE SPRIGGS GROUP, P.C.,
Respondent,

v.

GENE R. SLIVKA,
Appellant.

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

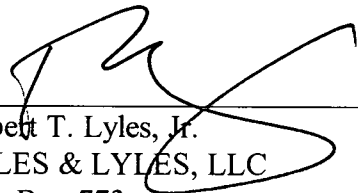
Appellant proposes the following be included in the Record on Appeal:

1. Order Denying Defendant's Motion for JNOV and/or For New Trial, filed on September 7, 2011.
2. Order for Award of Interest, Fees, and Costs initially filed on September 7, 2011, then amended and filed on October 3, 2011.
3. Order denying Defendant's Motion to Alter/Amend Court's Order Denying Defendant's Motion for JNOV and/or for New Trial on November 22, 2011.
4. Order Denying Defendant's Rule 59 Motion Regarding Award of Interest, Fees and Costs to Plaintiff filed on November 22, 2011.
5. Order denying Motion for Summary Judgment dated April 12, 2011.

6. Complaint filed July 8, 2009.
7. Answer and Counterclaim filed September 10, 2009.
8. Amended Complaint filed May 5, 2010.
9. Answer and Counterclaim filed May 18, 2010.
10. Transcript of Proceedings pp. 24, 38, 128, 157, 180, 182-183, 187, 288, 289, 313-314, 315, 339, 365, 424-425, 463, 465, 473-474, 491, 509, 510, 516-519, 595-600, 600-604, 605-607, 650, 658, 686, 708, 716, 739, 741-745, 755.
11. Theume Transcript of Proceedings pp. 3, 4, 5.
12. Plaintiff Exhibits 7, 8, 8a, 8b, 9, 10, 11.
13. Plaintiff's Motion for Summary Judgment dated January 31, 2011.
14. Plaintiff's Motion to Strike Affirmative Defenses and Counterclaim dated June 23, 2010.
15. Plaintiff's Motion to Strike Offer dated July 11, 2011.
16. Plaintiff's Motion for Attorneys Fees and Costs dated July 27, 2011 with exhibits.
17. Defendant's Motion for Summary Judgment dated January 27, 2011.
18. Defendant's Motion Notwithstanding the Verdict and/or for a New Trial Absolute or Nisi Remittitur, August 1, 2011.
19. Defendant's Rule 59(e) Motion dated September 16, 2011.
20. Defendant's Rule 59(e) Motion dated October 7, 2011.
21. Defendant's Memorandum in Opposition to Plaintiff's Motion for Attorneys' Fees and Costs dated August 11, 2011 with exhibits.
22. Defendant's Offer of Settlement dated July 1, 2011.

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

April 11, 2012



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CASE NO.: 2009-CP-15-0595

THE SPRIGGS GROUP, P.C., Respondent,

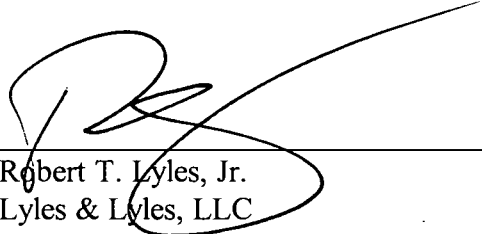
v.

GENE R. SLIVKA, Appellant.

PROOF OF SERVICE

I certify that I have served the Designation of Matter to be Included in the Record on Appeal on Respondent by depositing a copy of it in the United States Mail, postage prepaid, on April 11, 2012, addressed to their attorneys of record, A. Bright Ariail, Esquire, Rosen, Rosen & Hagood, LLC, 134 Meeting Street, Suite 200, Post Office Box 893, Charleston, S.C. 29402.

April 11, 2012



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April 11, 2012

The Honorable Tanya Gee
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, S.C. 29211

Re: *The Spriggs Group, P.C. vs. Slivka*,
Colleton County Case No. 2009-CP-15-0595
Court of Appeals Case Number: 2011204366

Dear Ms. Gee:

Enclosed for filing with regard to the above referenced matter, please find the following:

- 1) Initial Brief of Appellant with Proof of Service; and,
- 2) Designation of Matter to Be Included in the Record on Appeal with Proof of Service.

If you have any questions, please feel free to give me a call. With kind regards, I remain

Very truly yours,

LYLES & LYLES, LLC



Robert T. Lyles, Jr.

RTL/daw

cc: A. Bright Ariail Esquire
Gene R. Slivka

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SC Court of Appeals