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**Dec 16 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM WILLIAMSBURG COUNTY

Court of Common Pleas

Kristi F. Curtis, Circuit Court Judge

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Appellate Case No: 2021-000494

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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.

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**Appellant's AMENDED Initial Designation Of Matter  
To Be Included In The Record On Appeal**

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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 7.06.2020
- 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 Taken 4.12.2021 and Filed 4.29.2021, part of the Record upon which Appellant's Motion For Summary Judgment and Motion to Alter, Amend, Reconsider were based, as stated in said Motions:

Cover.

18-21.

41.

48-51.

55.

63-64.

81-82.

97-98.

113-115.

129.

133.

139.

160-162.

192-196.

202-206.

225-237.

240-242.

- The Following Portions or Pages of the Deposition of Shiralee Driggers Taken 1.14.2016 and Filed 4.21.2021, part of the Record upon which Appellant's Motion For Summary Judgment and Motion to Alter, Amend, Reconsider were based, as stated in said Motions:

Cover & Appearance of Counsel.

3-94.

- The Following Portions or Pages of the Deposition of Shiralee Driggers Taken 4.15.2021 and Filed 4.29.2021, part of the Record upon which Appellant's Motion For Summary Judgment and Motion to Alter, Amend, Reconsider were based, as stated in said Motions:

Cover.

19-21.

40-41.

44-45.

52-54.

56.

58-60.

121-123.

- 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*

---

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Dated: December 16, 2021

**Attorney For Appellant**

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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.

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**Proof Of Service of Appellant's Amended Initial Brief  
And Amended Designation**

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I certify that on December 16, 2021, I served the *Appellant's Amended Initial Brief and Amended Designation on* counsel and the Pro Se party as noted below:

*/s/ J. Dwight Hudson*

---

J. Dwight Hudson (SCB# 2753)  
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Dated: December 16, 2021, 2021

**Attorney For Appellant**

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*Attorney for Marion L. Driggers*

Also, Service on Marion L. Driggers via e-mail to:

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J. DWIGHT HUDSON\*  
MARY ANNE GRAHAM^

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December 16, 2021  
*Via Email*

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.  
Appellate Case No: 2021-000494

Dear Ms. Kitchings:

Enclosed for filing are the following:

1. Appellant's Amended Designation;
2. Appellant's Amended Initial Brief;
2. Proof of Service of the Same

By copy of this letter, the enclosures are served as per the 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**

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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