

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 SECOND AMENDED 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 Second Amended 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 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 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

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
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: February 3, 2022

Attorney For Appellant

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Feb 03 2022

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.

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

I certify that on February 3, 2022, I served the *Appellant's Second Amended Initial Brief and Second Amended Initial Designation on* counsel as noted below:

/s/ J. Dwight Hudson

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Dated: February 3, 2022

Attorney For Appellant

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

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Attorney for Marion L. Driggers

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

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mgraham hudsonlawoffice.com

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Cc: Cathy Plocinik; Kelly M. Turek, Esq.; Jill Corbin; Daryl Corbin; Rosa Raspaldo
Subject: Appellate Case No: 2021-000494; South Carolina Farm Bureau Mutual Insurance Company v. Marion L. Driggers, et. al.
Attachments: Brief, Initial, AMENDED, 2, Appellant.pdf; Designation, Initial, AMENDED 2.pdf; Proof Of Service, Second Amd. Initial Brief & Designation.pdf

Enclosed and served are the Appellant's Second Amended Initial Brief and Second Amended Initial Designation and a Proof of Service as to the same. The enclosures will be e-filed with the Court of Appeals, along with verification of this e-mail service to the parties.

With best regards,

J. Dwight Hudson, Esq.

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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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February 3, 2022
Via Email

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RECEIVED
Feb 03 2022
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.
 Appellate Case No: 2021-000494

Dear Ms. Kitchings:

In compliance with the Court’s Order of 1.28.2022, enclosed for filing are the following:

1. Appellant’s Second Amended Designation;
2. Appellant’s Second Amended Initial Brief;
2. Proof of Service of the Same together with a copy of email service to the parties.

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**