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**MAR 04 2022**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM ANDERSON COUNTY  
COURT OF COMMON PLEAS

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R. Lawton McIntosh, Circuit Court Judge

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Case No.: 2020-CP-04-02439

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U.S. Foods, Inc., Respondent.

v.

Carlees Restaurant LLC and Ghassan Ashy, Defendants,

Of whom Carlees Restaurant, LLC is the Appellant.

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APPELLANT'S DESIGNATION OF MATTER  
TO BE INCLUDED IN RECORD ON APPEAL

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

1. Order Striking Answer of Carlees Restaurant, LLC and for Judgment filed September 1, 2021;
2. Form 4 Order denying the Defendant, Carlees Restaurant, LLC Motion to Alter or Amend filed September 15, 2021;
3. Form 4 Order granting Plaintiff's Motion to Strike the Defendant, Corporation's Answer filed August 27, 2021;
4. Proposed Order Striking Answer of Carlees Restaurant, LLC and for Judgment;
5. Email to trial court dated August 27, 2021;

6. Summons and Complaint filed December 11, 2020;
7. Answer of Ghassan Ashy filed on May 4, 2021;
8. Answer of Carlees Restaurant, LLC filed on May 4, 2021;
9. Plaintiff's Motion to Strike Defendant Carlees Restaurant, LLC's answer and for Judgment filed on July 2, 2021;
10. Defendants Return to Plaintiff's Motion and Motion to Amend Defendants Answers filed August 17, 2021;
11. Motion to Alter or Amend the Order Striking Answer and of Carlees Restaurant, LLC filed September 13, 2021;
12. Transcript of Record of Motion hearing on August 25, 2021 pp. 1-8.

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



William Norman Epps III  
Post Office Box 2167  
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(864) 224-2111  
Attorney for Appellant

February 28, 2022

Other Counsel of Record:

Cynthia M. Lover, Esq.  
PO Box 1452  
North Myrtle Beach, SC 29598  
843-626-2029 (phone)  
Attorney for Respondent

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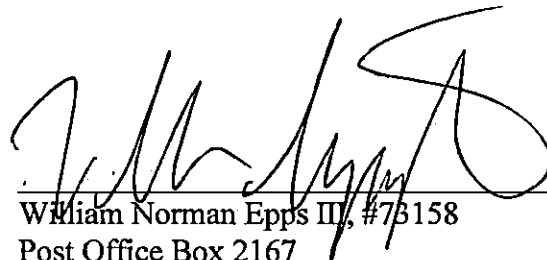
Of whom Carlees Restaurant, LLC is the Appellant.

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**PROOF OF SERVICE**

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I certify that I have served the Initial Brief of the Appellant and Appellant's Designation of Matter on U.S. Foods, Inc., by depositing a copy of it in the United States Mail, postage prepaid, on February 28, 2022, addressed to its attorneys of record, Cynthia M. Lover, Esq., Post Office Box 1452, North Myrtle Beach, South Carolina, 29598.



William Norman Epps II, #75158

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Attorney for Appellant

February 28, 2022



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William N. Epps, III  
William N. Epps, Jr.

February 28, 2022

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SC Court of Appeals

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

RE: U.S. Foods, Inc. v. Carlees Restaurant LLC and Ghassan Ashy  
Case No.: 2020-CP-04-02439  
My File No.: CP21-5966

Dear Ms. Kitchings:

Enclosed for filing, please find the original and one (1) copy of each of the **Initial Brief of the Appellant and Appellant's Designation of Matter** to be included in the Record on Appeal, and our **Proof of Service** for these documents referenced herein and in regards to the above-referenced matter.

Please return a file stamped copy of these documents to us in the enclosed self-addressed envelope which I have provided for your convenience.

By copy of this letter, we are serving opposing counsel with the same.

If you should have any questions or concerns, please do not hesitate to contact me at your earliest convenience. Thank you.

With kind regards, I am

Sincerely yours,

EPPS & EPPS, LLC

William N. Epps, III

WNEIII:bam

Enclosures

Other Counsel of Record:

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Clerk, South Carolina Court of Appeals  
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