

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

APPEAL FROM ANDERSON COUNTY
COURT OF COMMON PLEAS

MAR 30 2022

SC Court of Appeals

R. Lawton McIntosh, Circuit Court Judge

Case number: 2020-CP-04002439

APPELLATE CASE NUMBER: 2021-001206

U.S. Foods Inc., Respondent

v.

Carlees Restaurant LLC Appellant

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

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

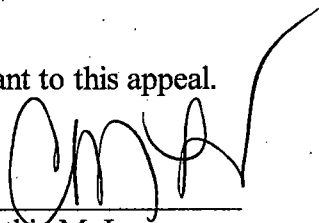
1. Summons and Complaint and Attachments thereto on file with the Anderson County Clerk of Court;
2. *Pro Se* Answer of Carlees Restaurant LLC, filed May 4, 2021;
3. *Pro Se* Answer of Ghassan Ashy filed May 4, 2021;
4. Plaintiff's Motion to Strike the Answer of Carlees Restaurant LLC and for Default and Default Judgment, including exhibits attached thereto, filed July 2, 2021;
5. Return to Plaintiff's Motion to Strike & For Default and Default Judgment and Motion to Amend Defendants Answers filed by Attorney Epps on Behalf of Defendants on August 17, 2021;
6. Email from Attorney Lover to circuit judge and Attorney Epps dated August 26, 2020;

submitting proposed Order;

7. Proposed Order Granting Plaintiff's Motion to Strike (this proposed Order is not part of the clerk of court's file but it was presented to the circuit judge and opposing counsel by email and was edited by the Judge, the result being the edited Order filed on September 1, 2021);
8. Email from Attorney Epps to circuit judge and Attorney Lover dated August 27, 2021;
9. Email from circuit judge's law clerk to Attorney Epps and Attorney Lover dated August 31, 2021;
10. Form 4 filed by Judge McIntosh on August 27, Granting Plaintiff's Motion to Strike and Denying Defendant's Motion to Amend;
11. Filed Order and Form 4 Striking Answer of Carlees Restaurant LLC and for Judgment filed September 1, 2021;
12. Motion to Alter or Amend Order Striking Answer of Carlees Restaurant LLC filed September 13, 2021;
13. Form Order denying Defendant's Motion to Alter or Amend, filed September 15, 2021;
14. Transcript of Record of Motion Hearing on August 25, 2021, all pages;

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

March 29, 2022


Cynthia M. Lover
Attorney for Respondent
PO Box 1452
North Myrtle Beach, SC 29598
(843) 626-2029
SC Bar #: 64844

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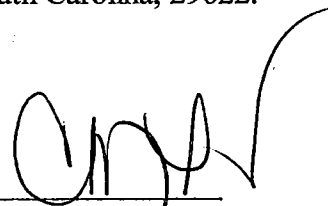
Carlees Restaurant LLC Appellant

PROOF OF SERVICE

I certify that I have served Respondent's Designation of Matter to be included in the Record on Appeal, on Carlees Restaurant LLC by depositing a copy of it in the United States Mail, postage prepaid, on March 29, 2022 addressed to its attorney of record:

William N. Epps, III, Post Office Box 267, Anderson, South Carolina, 29622.

March 29, 2022



Cynthia M. Lover
Attorney for Respondent
PO Box 1452
North Myrtle Beach, SC 29598
(843) 626-2029
SC Bar #: 64844

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CYNTHIA M. LOVER, P.A.
ATTORNEY AT LAW
POST OFFICE BOX 1452
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2411 N. Oak Street, The Founders Centre, Suite 305
Myrtle Beach, South Carolina 29577
OFFICE: 843-626-2029 FAX: 843-626-2451 EMAIL: LoverLawFirm@aol.com

March 29, 2022

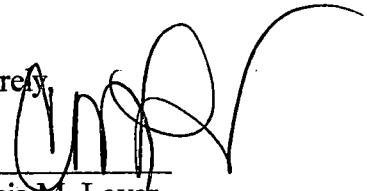
The Honorable Jenny Abbot Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 1629
Columbia, SC 29211

Re: U.S. Foods, Inc., Respondent
v. Carlees Restaurant LLC and Ghassan Ashy, Defendants
Of whom Carlees Restaurant, LLC is the Appellant
Appellate Case number: 2021-001206

Dear Ms. Kitchings:

Enclosed for filing is the Initial Brief of Respondent in the above case. Also enclosed are the following:



1. Proof of Service of the Initial Brief of Respondent on the Appellant;
2. One Copy of Respondent's Designation of Matter to be Included in the Record on Appeal which includes my certification that the Designation contains no matter which is irrelevant to the appeal.;
3. Proof of Service on Appellant of Respondent's Designation of Matter to be Included in the Record on Appeal, including my certification that the Designation contains no matter which is irrelevant to the appeal

Sincerely,


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

cc: William N. Epps, III
Attorney for Appellant
Post Office 2167
Anderson, SC 29622

Cynthia M. Lover, P.A.,
Attorney at Law
Post Office Box 1452
North Myrtle Beach, SC 29598

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