

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Hon. Perry H. Gravely, Circuit Court Judge

Common Pleas Case No. 2019-CP-23-02032
Appellate Case No. 2021-001177

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APR 18 2022
SC Court of Appeals

Julia Sibley-Jones, as Personal Representative of the
Estate of William A.L. Sibley, Jr., Respondent-Appellant,

v.

Decide4action, Inc., Appellant-Respondent.

**RESPONSE DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL OF RESPONDENT-APPELLANT
JULIA SIBLEY-JONES, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF
WILLIAM A.L. SIBLEY, JR.**

Gregory J. English (S.C. Bar No. 65470)
James E. Cox, Jr. (S.C. Bar No. 103886)
WYCHE, P.A.
200 East Broad St., Suite 400
Greenville, South Carolina 29601
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(864) 242-8200

Attorneys for Respondent-Appellant Julia Sibley-Jones, as
Personal Representative of the Estate of William A.L.
Sibley, Jr.

Respondent-Appellant proposes that the following be included in the Record on Appeal:

1. Summons and Complaint, 4/11/2019
2. Answer to Complaint and Counterclaims, 5/22/2019
3. Amended Complaint, 12/28/2020
4. Sibley-Jones's Motion to Compel with Exhibits A-B
5. Consent Order Compelling Discovery, 1/8/2021
6. Answer to Amended Complaint and Counterclaims, 1/25/2021
7. Reply to Amended Counterclaims, 2/1/2021
8. Defendants' [sic] Proposed Witness List
9. Decide4Action's Motion[s] in Limine
10. Plaintiff's Motion in Limine to Exclude Evidence Regarding Any Damages Claimed by Defendant with Exhibits A-C
11. Plaintiff's Motion in Limine to Exclude Defendant's Undisclosed and Inadmissible Expert Opinions
12. Plaintiff's Motion for Directed Verdict
13. Defendant's Motion to Reconsider with Exhibits A-C
14. Trial Transcript
 - p. 25, l.11-p. 27, l.8
 - p. 72, l.5-p. 100, l.14
 - p.101, l.12-p. 122, l.13
 - p. 131, l.2-p. 159, l.25
 - p.160. l.1-p. 161, l.17
 - p.162, l.3-p. 168, l.4
 - p.170, l.21-p.182, l.20
 - p.186, l.4-p. 204, l.3
 - p.205, l.13-p. 220, l.10
 - p. 284, l.6-p. 285, l.2
 - p. 320, l.20-p. 336, l.21
 - p. 344, l.13-p. 387, l.2
15. Court Trial Exhibit 2 (Bergeron Deposition, pages 71-88)
16. Plaintiff's Trial Exhibit 1 (3/10/2017 Letter of Intent)
17. Plaintiff's Trial Exhibit 2 (4/2017 Employee Compensation Chart)
18. Plaintiff's Trial Exhibit 3 (6/22/2017 Letter from Dan Carlton, CPA to Richard Bergeron)
19. Plaintiff's Trial Exhibit 5 (P&L Statement, July 2017)
20. Plaintiff's Trial Exhibit 6 (P&L Statement, June 2017)
21. Plaintiff's Trial Exhibit 7 (CC+I 2016 Tax Return)
22. Plaintiff's Trial Exhibit 8 (10/13/2017 Stock Purchase Agreement)
23. Plaintiff's Trial Exhibit 9 (10/16/2017 Indemnity Escrow Agreement)
24. Plaintiff's Trial Exhibit 10 (9/19/2018 Letter to UCB from Defendant's Counsel)
25. Plaintiff's Trial Exhibit 11 (10/30/2018 Letter to UCB from Plaintiff's Counsel)
26. Plaintiff's Trial Exhibit 12 (12/13/2018 Letter to Plaintiff's Counsel from Defendant's Counsel)

27. Plaintiff's Trial Exhibit 16 (Agreement Regarding Application of Funds)
28. Plaintiff's Trial Exhibit 17 (10/16/2017 Contribution and Indemnification Agreement)
29. Plaintiff's Trial Exhibit 18 (8/12/2020 Probate Court Appointment)
30. Plaintiff's Trial Exhibit 19 (10/30/2020 Decide4Action Responses to Sibley-Jones's Requests for Admission)
31. Plaintiff's Trial Exhibit 20 (7/20/2021 Appointment of Selling Parties Representative)
32. Plaintiff's Trial Exhibit 21 (7/16/2021 UCB Escrow Account Balance Statement)
33. Form 4 Order and Judgment, 7/28/2021
34. Final Order and Judgment regarding Escrow Fund, 8/6/2021

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

Respectfully submitted,

WYCHE, P.A.

BY: s/ Gregory J. English
Gregory J. English (S.C. Bar No. 65470)
James E. Cox, Jr. (S.C. Bar No. 103886)
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Attorneys for Respondent/Appellant Julia Sibley-Jones, as
Personal Representative of the Estate of William A.L.
Sibley, Jr.

April 12, 2022

Other Counsel of Record:

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v.

Decide4action, Inc., Appellant-Respondent.

PROOF OF SERVICE

I, Gregory J. English, of Wyche, P.A., attorneys for the Respondent/Appellant in the within action, do hereby certify that I have this date served upon opposing counsel the foregoing **RESPONSE DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL OF RESPONDENT-APPELLANT JULIA SIBLEY-JONES, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF WILLIAM A.L. SIBLEY, JR.** by email and first class mail, addressed to the following:

Kimberly Thomason Devon Puriefoy Truluck Thomason, LLC 3 Boyce Avenue Greenville, SC 29601 kim@truluckthomason.com devon@truluckthomason.com	Howard W. Anderson III Law Office of Howard W. Anderson, III, LLC P.O. Box 661 Pendleton, SC 29670 howard@hwalawfirm.com
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s/ Gregory J. English

Gregory J. English

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Attorneys for Respondent/Appellant Julia Sibley-Jones, as
Personal Representative of the Estate of William A.L. Sibley, Jr.

April 12, 2022

Stacey H. Wascom

From: Stacey H. Wascom
Sent: Tuesday, April 12, 2022 4:15 PM
To: kim@truluckthomason.com; devon@truluckthomason.com; howard@hwalawfirm.com
Cc: Greg English; jcox@wyche.com
Subject: Julia Sibley-Jones v. Decide4Action - Appellate Case No.: 2021-001177
Attachments: Initial Brief of Respondent on appeal (Sibley v. Decide4action).pdf; Plaintiff's Designation of Matter on Primary Appeal (Sibley v. Decide4action).pdf

Dear Counsel:

Please find attached and served upon you, Initial Response Brief of Respondent-Appellant Julia Sibley-Jones, as Personal Representative of the Estate of William A.L. Sibley, Jr. , along with the Designation of Matter.

Best regards,



Stacey Wascom | Wyche

Litigation Paralegal

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A Lex Mundi Member Firm

W Y C H E

Attorneys at Law

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April 12, 2022

BY FIRST CLASS MAIL

Hon. Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
1220 Senate Street
P.O. Box 11629
Columbia, SC 29211

Re: Sibley v. Decide4action, Inc., Case No. 2019-CP-23-02032

Dear Ms. Kitchings:

Enclosed please find the original and two copies of Initial Response Brief of Respondent-Appellant Julia Sibley-Jones, as Personal Representative of the Estate of William A.L. Sibley, Jr. and Response Designation of Matter to be Included in the Record on Appeal along with Proof of Service of Same.

Best regards,



Gregory J. English

(864) 242-8247
genglish@wyche.com

GJE/shw

Enclosures

cc: Kimberly T. Thomason, Esq. (by mail)
Devon M. Puriefoy, Esq. (by mail)
Howard W. Anderson, III, Esq. (by mail)

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