

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Robert M. Young, Circuit Court Judge

Case No.: 2009-CP-10-267
Appellate Case No.: 2012-207850

3 Chisolm Street Homeowners Association, Inc.,Appellant,

v.

Chisolm Street Partners, LLC, Murray School Partners, LLC,
Genoa Construction Services, Inc., Masterpiece Millwork, Inc.,
Allen Roper, Jr. d/b/a Masonry Brickwork and Stucco, John Doe #1,
John Doe #2, and Brock Green Architects and Planners, LLC.....Defendants

Of whom Genoa Construction Services, Inc.,
Masterpiece Millwork, Inc., and Brock Green Architects
and Planners, LLC, are..... Respondents.

Genoa Construction Services, Inc.,.....Third-Party Plaintiff,

v.

The Fox Steel Company, Carolina Services, Inc.,
Lesco Restoration, Inc., Ferst Plastering, Inc.,
Charleston Glass & Mirror Company, 3d Renovations,
Williams Mechanical, Mastercraft Interior & Exterior,
Coastal Glass and Block, Adams Davis & Partners,
Troy Pardee Heating and Air Conditioning
(d/b/a Pardee Heating and Air), CT Windows Limited,
and Architectural Materials & Systems,Third Party Defendants,

Lesco Restoration, Inc.,.....Fourth-Party Plaintiff,

v.

Coastal Waterproofing, Inc. n/d/b/a
Wards Waterproofing, Inc.,.....Fourth-Party Defendant.

**RESPONDENT GENOA CONSTRUCTION SERVICES, INC.'S DESIGNATION OF
MATTERS TO BE INCLUDED IN RECORD ON APPEAL**

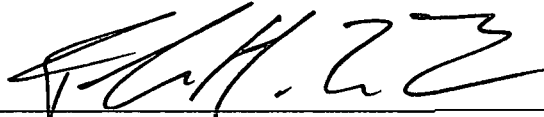
Respondent Genoa Construction Services, Inc. proposes the following to be included in the Record on Appeal:

1. Summons and Complaint filed January 16, 2009
2. Amended Summons and Amended Complaint filed January 20, 2009
3. Genoa Construction's Answer to Amended Complaint filed March 10, 2009
4. Second Amended Summons & Second Amended Complaint filed April 18, 2010
5. Genoa Construction Services, Inc.'s Motion for Summary Judgment, or in the Alternative for Partial Summary judgment filed January 31, 2011
6. Genoa Construction Services, Inc.'s Memorandum in Support of its Motion for Summary Judgment, or in the Alternative for Partial Summary Judgment filed March 25, 2011
7. Transcript of Summary Judgment Hearing filed March 28, 2011
8. Order Granting in Part Defendant Genoa Construction Services, Inc.'s Motion for Summary Judgment filed June 9, 2011
9. Order Granting Lacy Painting's Motion for Summary Judgment filed June 9, 2011
10. Order Granting Williams Mechanical Corporation's Motion for Summary filed June 9, 2011
11. Order Granting Architectural Material & Systems, Inc.'s Motion for Summary Judgment filed June 9, 2011
12. Order Granting Ferst Plastering's Motion for Summary Judgment filed June 9, 2011
13. Order Granting CT Windows Limited's Motion for Summary Judgment filed May 12, 2012
14. Order Granting Charleston Glass & Mirror Company, Inc.'s, Metro Water-Proofing, Inc.'s, and The Fox Steel Company's Motion for Summary Judgment filed June 9, 2011
15. Order Granting Brock Green Architects and Planners, LLC's Motion for Reconsideration and Motion for Summary Judgment filed January 10, 2012
16. Plaintiff's Motion to Reconsider, Alter, or Amend Order Granting Partial Summary Judgment as to Genoa Construction Services, Inc. filed June 24, 2011
17. Transcript of August 12, 2011 Motion to Reconsider Hearing
18. Order Granting Defendant Genoa Construction Services, Inc.'s Motion for Summary filed January 10, 2012
19. Plaintiff's Notice of Appeal, February 13, 2012
20. Affidavit of Ray Moses filed March 24, 2011
21. Glick/Boehm & Associates, Inc.'s Report to HOA dated April 8, 2003
22. Deposition of Jackson Burnett, pp. 14, 25, 69, 85
23. 3 Chisolm Street HOA Meeting Minutes, May 6, 2003
24. 3 Chisolm Street HOA Meeting Minutes, February 2, 2004
25. 3 Chisolm Street HOA Meeting Minutes, September 29, 2004
26. 3 Chisolm Street HOA Meeting Minutes, February 6, 2004

27. Deposition of Myles Glick, pp. 48, 49,
28. Deposition of Michael Parades, pp. 65, 133, and Exhibit 223
29. Fax from Genoa to Lesco regarding repairs, June 11, 2003
30. Letter from Genoa to Lesco regarding repairs, July 22, 2003
31. Williamson & Associates, Inc.'s Report, April 10, 2003
32. Deposition of George Davidson, p. 95
33. Carolina Concrete Systems, Inc.'s Proposal, December 29, 2004
34. Deposition of George Cogar, pp. 16, 76
35. Deposition of Bill Maneri, pp. 51
36. Deposition of Gwen McCurdy, pp. 31
37. Deposition of Alex McMillan, pp. 23, 96
38. Deposition of Beverly Seinsheimer, pp. 15, 34
39. Deposition of Charles Wyrick, pp. 18, 19
40. Deposition of Connie Wyrick, 39, 42, 43,
41. ABS Report, January 11, 2011
42. ABS Report, April 8, 2010
43. Deposition of Scott Harvey, Vol. I, pp. 26, 47, 48, 49, 51, 76, 85
44. Deposition of Scott Harvey, Vol. II, pp. 9, 36, 178, 179, 180
45. 3 Chisolm Street Demand Letter, August 2, 2004
46. Deposition of George Davidson, pp. 95
47. ABS Report, October 16, 2007

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

ROGERS TOWNSEND & THOMAS, PC



Franklin H. Turner III (S.C. Bar #: 16583)

Joshua A. Bennett (S.C. Bar #: 100023)

Rogers Townsend & Thomas, PC

Post Office Box 100200

Columbia, South Carolina 29202

Phone: (803) 771-7900

Fax: (803) 343-7017

Email: trey.turner@rtt-law.com

joshua.bennett@rtt-law.com

Attorneys for Respondent, Genoa Construction

March 26, 2013

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Robert M. Young, Circuit Court Judge

Case No.: 2009-CP-10-267
Appellate Case No.: 2012-207850

3 Chisolm Street Homeowners Association, Inc.,Appellant,

v.

Chisolm Street Partners, LLC, Murray School Partners, LLC,
Genoa Construction Services, Inc., Masterpiece Millwork, Inc.,
Allen Roper, Jr. d/b/a Masonry Brickwork and Stucco, John Doe #1,
John Doe #2, and Brock Green Architects and Planners, LLC.....Defendants

Of whom Genoa Construction Services, Inc.,
Masterpiece Millwork, Inc., and Brock Green Architects
and Planners, LLC, are..... Respondents.

Genoa Construction Services, Inc.,.....Third-Party Plaintiff,

v.

The Fox Steel Company, Carolina Services, Inc.,
Lesco Restoration, Inc., Ferst Plastering, Inc.,
Charleston Glass & Mirror Company, 3d Renovations,
Williams Mechanical, Mastercraft Interior & Exterior,
Coastal Glass and Block, Adams Davis & Partners,
Troy Pardee Heating and Air Conditioning
(d/b/a Pardee Heating and Air), CT Windows Limited,
and Architectural Materials & Systems,Third Party Defendants,

Lesco Restoration, Inc.,.....Fourth-Party Plaintiff,

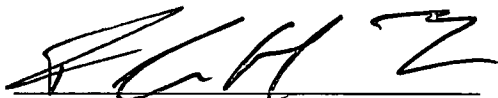
v.

Coastal Waterproofing, Inc. n/d/b/a
Wards Waterproofing, Inc.,.....Fourth-Party Defendant.

PROOF OF SERVICE

I certify that I have served the Respondent, Genoa Construction Services, Inc.'s **Designation of Matters to be Included in the Record on Appeal** in this case on Appellant, 3 Chisolm Street Homeowners Association, Inc. by depositing a copy of it in the United States Mail, postage prepaid, on March 27, 2013 addressed to the attorney of record, David J. Parrish, Esquire, NEXSEN PRUET, LLC, Post Office Box 486, Charleston, South Carolina 29402.

ROGERS TOWNSEND & THOMAS, PC



Franklin H. Turner III (S.C. Bar #: 16583)

Joshua A. Bennett (S.C. Bar #: 100023)

Rogers Townsend & Thomas, PC

Post Office Box 100200

Columbia, South Carolina 29202

Phone: (803) 771-7900

Fax: (803) 343-7017

Email: trey.turner@rtt-law.com

joshua.bennett@rtt-law.com

*Attorneys for Respondent, Genoa
Construction Services, Inc.*

Other Counsel of Record:

L. Dean Best, Esquire

Jenny Costa Honeycutt, Esquire

Haynsworth Sinkler Boyd, P.A.

134 Meeting Street, 3rd Floor

Charleston, SC 29401

Phone: (843) 724-1121

Email: jhoneycutt@hsblawfirm.com

dbest@hsblawfirm.com

Attorneys for Respondent Masterpiece Millwork, Inc.

Kent T. Stair, Esquire

Paul E. Sperry, Esquire

J. Patrick Norris, Esquire

Carlock Copeland & Stair, LLP

40 Calhoun Street, Suite 400

Charleston, SC 29403

Phone: (43) 727-0307

Email: psperry@carlockcopeland.com

pnorris@carlockcopeland.com

Attorneys for Respondent Brock Green Architects and Planners, LLC

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Robert M. Young, Circuit Court Judge

Case No.: 2009-CP-10-267
Appellate Case No.: 2012-207850

3 Chisolm Street Homeowners Association, Inc.,Appellant,

v.

Chisolm Street Partners, LLC, Murray School Partners, LLC,
Genoa Construction Services, Inc., Masterpiece Millwork, Inc.,
Allen Roper, Jr. d/b/a Masonry Brickwork and Stucco, John Doe #1,
John Doe #2, and Brock Green Architects and Planners, LLC.....Defendants

Of whom Genoa Construction Services, Inc.,
Masterpiece Millwork, Inc., and Brock Green Architects
and Planners, LLC, are..... Respondents.

Genoa Construction Services, Inc.,.....Third-Party Plaintiff,

v.

The Fox Steel Company, Carolina Services, Inc.,
Lesco Restoration, Inc., Ferst Plastering, Inc.,
Charleston Glass & Mirror Company, 3d Renovations,
Williams Mechanical, Mastercraft Interior & Exterior,
Coastal Glass and Block, Adams Davis & Partners,
Troy Pardee Heating and Air Conditioning
(d/b/a Pardee Heating and Air), CT Windows Limited,
and Architectural Materials & Systems,Third Party Defendants,

Lesco Restoration, Inc.,.....Fourth-Party Plaintiff,

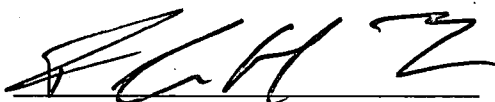
v.

Coastal Waterproofing, Inc. n/d/b/a
Wards Waterproofing, Inc.,.....Fourth-Party Defendant.

PROOF OF SERVICE

I certify that I have served the Respondent, Genoa Construction Services, Inc.'s **Designation of Matters to be Included in the Record on Appeal** in this case on Appellant, 3 Chisolm Street Homeowners Association, Inc. by depositing a copy of it in the United States Mail, postage prepaid, on March 27, 2013 addressed to the attorney of record, David J. Parrish, Esquire, NEXSEN PRUET, LLC, Post Office Box 486, Charleston, South Carolina 29402.

ROGERS TOWNSEND & THOMAS, PC



Franklin H. Turner III (S.C. Bar #: 16583)

Joshua A. Bennett (S.C. Bar #: 100023)

Rogers Townsend & Thomas, PC

Post Office Box 100200

Columbia, South Carolina 29202

Phone: (803) 771-7900

Fax: (803) 343-7017

Email: trey.turner@rtt-law.com

joshua.bennett@rtt-law.com

*Attorneys for Respondent, Genoa
Construction Services, Inc.*

Other Counsel of Record:

L. Dean Best, Esquire

Jenny Costa Honeycutt, Esquire

Haynsworth Sinkler Boyd, P.A.

134 Meeting Street, 3rd Floor

Charleston, SC 29401

Phone: (843) 724-1121

Email: jhoneycutt@hsblawfirm.com

dbest@hsblawfirm.com

Attorneys for Respondent Masterpiece Millwork, Inc.

Kent T. Stair, Esquire

Paul E. Sperry, Esquire

J. Patrick Norris, Esquire

Carlock Copeland & Stair, LLP

40 Calhoun Street, Suite 400

Charleston, SC 29403

Phone: (43) 727-0307

Email: psperry@carlockcopeland.com

pnorris@carlockcopeland.com

Attorneys for Respondent Brock Green Architects and Planners, LLC