

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Daniel D. Hall, Circuit Court Judge

Appellate Case No. 2022-000290
Case No. 2020-CP-46-02006

Eastwood Construction Partners, LLC and
Eastwood Development Corporation,

Appellants,

v.

GHD Brooks Creek, a North Carolina Limited Liability Company; AF-Brooks Creek, LLC, a North Carolina Limited Liability Company; GHD Rivers Falls, LLC, a North Carolina Limited Liability Company; AF-River Falls, LLC, a North Carolina Limited Liability Company; GreenHawk Corporation, Inc.; and TRI Pointe Homes, Inc.

Respondents.

**RESPONDENTS' DESIGNATION OF MATTERS TO BE INCLUDED IN THE
RECORD ON APPEAL**

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GHD Brooks Creek, LLC; AF-Brooks
Creek, LLC; GHD Rivers Falls, LLC; AF-
River Falls, LLC; and GreenHawk
Corporation, Inc.

Attorneys for Respondent
TRI Pointe Homes, Inc.

The Respondents above-named, pursuant to Rule 209 of the South Carolina Rules of Appellate Procedure, propose that the following documents be included in the Record of Appeal, in addition to those documents listed in the Appellants' Designation of Matter to be Included in the Record On Appeal:

I. ORDERS

1. Circuit Court Order Granting TRI Pointe's Motion to Lift Any Automatic Stay of the Court's January 14, 2022 Order, dated April 18, 2022.
2. Circuit Court Order Granting Greenhawk's Motion to Lift Any Automatic Stay of the Court's February 15, 2022 Order, dated April 18, 2022.
3. Appellate Court Order Declining Appellants' Motion to Vacate the Circuit Court's Orders Lifting the Automatic Stay, dated May 12, 2022.
4. Supreme Court Order Declining Appellants' Motion to Vacate the Circuit Court's Orders Lifting the Automatic Stay, dated June 28, 2022.

II. PLEADINGS AND PETITIONS

1. Plaintiffs' Complaint and accompanying exhibits, dated July 1, 2020.
2. Greenhawk Motion to Partially Dismiss the Complaint and Cancel Lis Pendens and accompanying exhibits, dated July 16, 2020.
3. Plaintiffs' First Amended Complaint and accompanying exhibits, dated July 31, 2020.
4. Plaintiffs' Second Amended Complaint and accompanying exhibits, dated October 30, 2020.
5. Plaintiffs' Third Amended Complaint and accompanying exhibits, dated February 5, 2022.
6. TRI Pointe Motion for Partial Summary Judgment, dated November 12, 2021.
7. Greenhawk Motion for Partial Summary Judgment, and Cancellation of Lis Pendens, dated November 24, 2021.
8. Greenhawk Memo in Support of Motion for Partial Summary Judgment and accompanying exhibits, dated December 7, 2021.
9. TRI Pointe Memo in Support of Motion for Partial Summary Judgment and accompanying exhibits, dated December 9, 2021.

10. TRI Pointe Response in Opposition to Plaintiffs' Motion for Reconsideration, dated February 7, 2022.
11. Greenhawk Response in Opposition to Plaintiffs' Motion for Reconsideration, dated February 22, 2022.
12. TRI Pointe Motion to Lift Any Automatic Stay of the Court's January 14, 2022 Order and accompanying exhibits, dated March 15, 2022.
13. Greenhawk Motion to Lift Any Automatic Stay of the Court's February 15, 2022 Order dated March 18, 20202.
14. Eastwood Notice of Appeal of Orders Lifting the Automatic Stay, dated April 18, 2022.

III. TRANSCRIPTS

1. Deposition of Joseph Polite, dated May 4, 2021, as follows:

Pages: 27-28, 33, 38, 42, 46, 88-90, 94, 98-99, 112, 120-121, 130-134, 139, 152-159, 161-162, 165-166, 263, 283.
2. Deposition of Joe Dority, dated May 20, 2021, as follows:

Pages: 30, 38-41, 50-51, 58, 65-66, 170-172.
3. Deposition of Linwood Jackson, dated December 2, 2021, as follows:

Pages: 118-119.

IV. EXHIBITS

1. TRI Pointe Answer and Counterclaims Exhibit 1.
2. Deposition of Joseph Polite Exhibit 13.
3. Deposition of Joseph Polite Exhibit 24.

CERTIFICATION

The undersigned certifies, pursuant to Rule 208, SCACR, that this Designation contains no matter that is irrelevant to this appeal.

This 11th day of July, 2022.

RESPECTFULLY SUBMITTED,

/s/ Andrew Mathias

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