

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No: 2011-CP-26-9457

Horry County, A body politic,.....Respondents.

v.

Aquasino Partners of South Carolina LLC, Suncruz Casino Cruises, LLC,  
Ventures South Carolina, LLC, Suncruz Casinos, LLC and Highland Park  
Real Estate Development Corporation,.....Defendants.

Of whom,

Aquasino Partners of South Carolina, LLC, Suncruz Casinos Cruises, LLC  
and Highland Park Real Estate Development Corporation .....Appellants.

**DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD OF APPEAL**

Appellants propose the following be included in the Record of Appeal:

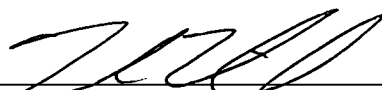
- Order Granting Motion for Relief from Entry of Default filed October 19, 2012 and filed with the Court on April 3, 2013.
- Form 4 (Order) filed March 6, 2013.
- Order filed November 2, 2012.
- Form 4 (Order) filed October 22, 2012.
- Order of Default filed October 19, 2012.
- Order filed July 30, 2012.

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**SC Court of Appeals**

- Form 4 (Order) filed June 29, 2012.
- Form 4 (Order) filed May 29, 2012.
- Form 4 (Order) filed April 11, 2012.
- Summons and Complaint filed November 10, 2011.
- Defendants Answer and Counterclaim filed on August 9, 2012.
- Plaintiff's Reply to Counterclaim filed on August 31, 2012.
- Plaintiff's Amended Summons and Amended Complaint filed on August 31, 2012.
- Defendants Notice of Appearance filed September 21, 2012.
- Defendants Answer to Amended Complaint and Counterclaim filed September 21, 2012.
- Plaintiff's Answer to Defendants Counterclaims filed on September 28, 2012.
- Defendants Motion to Dismiss filed January 20, 2012.
- Plaintiff's Motion for Temporary Injunction filed February 28, 2012.
- Plaintiff's Motion for Appointment of Receiver filed February 28, 2012.
- Plaintiff's Motion to Compel filed May 30, 2012.
- Defendants Motion for Substitution of Counsel filed October 11, 2012.
- Plaintiff's Motion and Order and Rule to Show Cause filed on September 13, 2012.
- Plaintiff's Motion for Sanctions filed September 20, 2012.
- Defendants Motion to Reconsider filed on October 31, 2012 to Form 4.
- Defendants Motion to Reconsider filed November 15, 2012 on formal Order.
- Hearing Transcript of July 23, 2012.
- Hearing Transcript of October 15, 2012.

- Initial Report of Escrow Agent dated August 30, 2012.
- Affidavit of Philip Thompson filed September 12, 2012.
- Defendants Request for Continuance letter dated October 5, 2012.
- Defendants Request for Continuance letter dated October 12, 2012.
- Court denials of Requests for Continuances emails dated October 5, 2012 and email dated October 12, 2013.
- Affidavit of Spiro Naos filed October 12, 2012.
- Affidavit of Robert Weisberg filed October 12, 2012.
- Interim Report of Escrow Agent dated December 4, 2012.
- Surcharge Agreement dated May 5, 2010.
- Horry County Ordinance 009-08 enacted February 5, 2008.

  
\_\_\_\_\_  
Mark D. Neill, Esquire  
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Attorney for Appellants, Aquasino Partners of South  
Carolina, LLC, Suncruz Casinos Cruises, LLC, and  
Highland Park Real Estate Development Corporation

Dated: 6/4, 2013  
Murrells Inlet, South Carolina.

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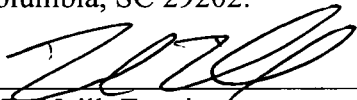
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Of whom,

Aquasino Partners of South Carolina, LLC, Suncruz Casinos Cruises, LLC  
and Highland Park Real Estate Development Corporation .....Appellants.

**PROOF OF SERVICE**

I certify that I have served a copy of Appellants' Initial Brief and Designation of Matter to Be Included in The Record of Appeal, and Certificate of Counsel by depositing a copy of it in the United States Mail, postage prepaid, on June 5, 2013, addressed to counsel for Respondent, Philip C. Thompson, Thompson & Henry, 1300 Second Avenue, 3<sup>rd</sup> Floor, Conway, SC 29526, Arrigo P. Carrotti, 1301 Second Avenue, #2D45, Conway, SC 29526, Blake A. Hewitt, P.O. Box 7965, Columbia, SC 29202, counsel for Defendants/Respondents and J. Todd Kincannon, P.O. Box 7901, Columbia, SC 29202.



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