



THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

The Honorable Carmen T. Mullen, Circuit Court Judge;
The Honorable Maite Murphy;
and
The Honorable Marvin H. Dukes, III, Master-in Equity and Special Circuit Judge

Appellate Case No. 2022-001132
Case No. 2019-CP-07-1666

Stevens Builders, LLC.....Appellant,

v.

Michael C. Garraway, Alicia M. Garraway, and TD Bank, N.A.Defendants,

Of whom TD Bank, N.A. is the.....Respondent.

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

The Appellant, Stevens Builders, LLC, proposes the following to be included in the Record on Appeal:

1. Construction Loan Agreement, including Construction Loan Disbursement Worksheet;
2. Plaintiff's Responses to TD Bank N.A.'s First Set of Interrogatories to Plaintiff;
3. Plaintiff's Responses to TD Bank N.A.'s First Request for Production of Documents to Plaintiff;
4. Construction Loan Disbursement Worksheet sent April 6, 2018;
5. Memorandum of Law Supporting TD Bank, N.A.'s Motion for Summary Judgment and exhibits thereto;
6. Construction Progress Report sent June 11, 2018;

7. Field Inspection Report;
8. Construction Progress Inspection Report;
9. Summons and Complaint filed July 18, 2019;
10. Affidavit of Service filed October 14, 2019;
11. Affidavit of Default filed December 2, 2019;
12. Entry of Default filed December 4, 2019;
13. Notice of Hearing filed January 21, 2020;
14. Transcript of January 31, 2020 Hearing;
15. Notice of Motion and TD Bank, N.A.'s Motion to Set Aside Entry of Default Pursuant to Rule 55(c) *SCRCP*;
16. TD Bank, N.A.'s Memorandum Supporting its Motion to Set Aside Entry of Default Pursuant to Rule 55(c) *SCRCP*;
17. Transcript of February 26, 2020 Hearing;
18. Order Granting TD Bank's Motion to be Relieved from Entry of Default dated March 24, 2020;
19. TD Bank, N.A.'s Notice of Motion to Dismiss filed March 24, 2022;
20. Affidavit of Default filed April 10, 2020;
21. Affidavit of Default dated June 3, 2020;
22. Notice of Motion and Motion for Default Judgment;
23. Answer and Affirmative Defenses of TD Bank, N.A.;
24. TD Bank, N.A.'s Response and Memorandum Opposing Plaintiff's Third Motion for Default Judgment;
25. Memorandum in Support of Plaintiff's Motion for Default Judgment;
26. Form 4 Order denying the Plaintiff's Motion for Default Judgment dated October 22, 2020;

27. Notice of Motion and TD Bank, N.A.'s Motion to Set Aside Entry of Default Pursuant to Rule 55(c), filed February 7, 2020;
28. Transcript of September 22, 2020 Hearing;
29. Transcript of May 23, 2022 Hearing;
30. Notice of Motion and Motion to Reconsider, Alter, and Amend Order dated March 16, 2020;
31. Notice of Motion and Motion for Reconsideration, and Memorandum in Support dated November 2, 2020; and
32. Notice of Motion and Motion for Reconsideration, and Memorandum in Support dated June 6, 2022.

The Appellant certifies that this designation contains no matter which is irrelevant to this appeal.

s/Benjamin T. Coppage
Benjamin T. Coppage
Coppage Law Firm, LLC
SC Bar # 100055
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Attorney for the Appellant

November 4, 2022
Beaufort, South Carolina

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APPEAL FROM BEAUFORT COUNTY
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Michael C. Garraway, Alicia M. Garraway, and TD Bank, N.A.Defendants,

Of whom TD Bank, N.A. is the.....Respondent.

PROOF OF SERVICE

I certify that I have served the **Designation of Matter** on the Respondent and Defendants by electronic mail, on November 4, 2022, addressed to the Defendants' and Respondent's attorneys of record at the email address of record with AIS as follows:

J. Martin Page
mpage@bellcarrington.com
Attorney for T.D Bank, N.A.
Alicia M. Garraway

James J. Wegmann
wegmannj@beaufortlaw.com
Attorney for Michael C. Garraway and

November 4, 2022

s/Benjamin T. Coppage
Benjamin T. Coppage
Post Office Box 2473
Beaufort, South Carolina 29901
843-379-9601
Attorney for the Appellant

Coppage
Law
Firm

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Nov 04 2022

SC Court of Appeals

November 4, 2022

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: *Stevens Builders v. TD Bank, N.A.*
Case No. 2022-001132

Dear Ms. Kitchings:

Please find attached to the email to which this letter is attached Appellant' Motion for Extension of Time, Initial Brief of Appellant, Designation of Matter, and Proofs of Service of the aforementioned documents. Please file these documents.

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions.

With warmest regards,


Benjamin T. Coppage

Enclosures

cc: J. Martin Page
James J. Wegmann