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Nov 21 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Master-In-Equity

The Honorable Charles B. Simmons, Jr. Master-in-Equity

Appellate Case No.: 2022-000897
Civil Action Case Nos.: 2019-CP-23-05954 & 2020-CP-23-04351

Crescent Homes SC, LLC,

Appellant/Plaintiff,

v.

CJN, LLC,

Respondent/Defendant.

**APPELLANT'S DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

By: *s/Ellis R. Lesemann*

Ellis R. Lesemann (S.C. Bar No. 15315)

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November 21, 2022

Charleston, South Carolina

Attorneys for Appellant Crescent Homes SC, LLC

Appellant Crescent Homes SC, LLC (“Crescent”) proposes the following materials be included in the Record on Appeal:

1. CJN, LLC (“CJN”) Trial Exhibits 2, 3, 4, 5, 6, 7, 8, 9, 10, 11;
2. Crescent Trial Exhibits 4, 5, 6, 7, 10, 12;
3. Crescent’s Complaint (2019-CP-23-5954) filed October 11, 2019;
4. CJN’s Answer and Counterclaim (2019-CP-23-5954) filed October 11, 2019;
5. Crescent’s Reply to Answer and Counterclaims (2019-CP-23-5954) filed November 6, 2020;
6. CJN’s Complaint (2020-CP-23-4351) filed September 18, 2020;
7. CJN’s Amended Complaint (2020-CP-23-4351) filed October 19, 2021;
8. Crescent’s Answer to Amended Complaint (2020-CP-23-4351) filed November 16, 2021;
9. CJN’s Motion for Partial Summary Judgment filed March 19, 2021;
10. Order dated April 20, 2021;
11. Order to Consolidate dated October 22, 2021;
12. Order dated May 27, 2022;
13. Crescent’s Motion to Alter or Amend filed June 6, 2022 in consolidated action;
14. Order Denying Crescent’s Motion to Alter or Amend dated June 10, 2022;
15. Transcript of Trial on May 4, 2022 (pp. 1 – 186);
16. Notice of Excerpts of the Deposition of Nicholas Franchina to be Offered at Trial Pursuant to Rule 32(a)(5), SCRCF dated May 3, 2022 and the specific excerpts referenced therein and attached as Exhibit A to the Notice; and
17. Affidavit of Edward M. Terry filed April 12, 2021.

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

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