

THE STATE OF SOUTH CAROLINA  
In The Court Of Appeals

APPEAL FROM GREENVILLE COUNTY  
Thirteenth Judicial Circuit

The Honorable Edward W. Miller, Circuit Court Judge

Case No. 2012-CP-23-06319

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MAY 20 2013

SC Court of Appeals

Shaw Funding, LLC, Build A House, LLC d/b/a Multifamily  
Products, Builders Design House, LLC, Builders First Mortgage,  
Builders First Funding, LLC, Investor Funding, LLC, Total Stone, LLC,  
American Lighting Co., Contract Supply, LLC, Global Solution, and  
MS Mechanical Solutions, LLC.....Respondents,

v.

Multifamily Products, LLC and Paul Taylor, as a member  
of Build a House, LLC and individually.....Appellants.

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DESIGNATION OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL

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D. Randle Moody II, S.C. Bar 14135  
Joseph O. Smith, S.C. Bar # 77475  
**ROE CASSIDY COATES & PRICE, P.A.**  
1052 North Church Street  
Greenville, South Carolina 29601  
(864) 349-2600  
(864)-349-0303 fax  
*Attorneys for Respondents*

Respondents propose the following to be included in the Record on Appeal:

1. Transcript of Record for Hearing on November 29, 2012
2. Transcript of Record for Hearing on March 5, 2013
3. April 26, 2013 Order of the Honorable Edward W. Miller

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



D. Randle Moody II, S.C. Bar 14135  
Joseph O. Smith, S.C. Bar # 77475  
**ROE CASSIDY COATES & PRICE, P.A.**  
1052 North Church Street  
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*Attorneys for Respondents*

May 15, 2013

Other Counsel Of Record:

Randall S. Hiller  
850 Wade Hampton Boulevard  
Greenville, South Carolina 29609  
(864) 232-0026  
*Attorney for Appellant*

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM GREENVILLE COUNTY  
COURT OF COMMON PLEAS

The Honorable Edward W. Miller, Circuit Court Judge

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**Case No. 2012-CP-23-06319**

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Products, Builders Design House, LLC, Builders First Mortgage,  
Builders First Funding, LLC, Investor Funding, LLC, Total Stone, LLC,  
American Lighting Co., Contract Supply, LLC, Global Solution, and  
MS Mechanical Solutions, LLC..... Respondents,

v.

Multifamily Products, LLC and Paul Taylor, as a member  
of Build a House, LLC and individually..... Appellants.

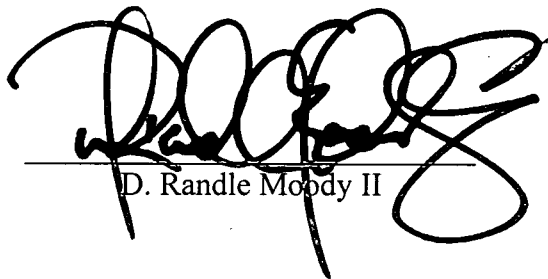
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**PROOF OF SERVICE**

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I, D. Randle Moody II, attorney for the Respondents, hereby certify that I have served a copy of the foregoing **Designation of Matter** upon the below named Counsel for the Appellants this the 15th day of May 2013, via U.S. Mail, postage prepaid and addressed as follows:

Randall S. Hiller  
865 Wade Hampton Boulevard  
Greenville, SC 29609



D. Randle Moody II

May 15, 2013

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

RECEIVED  
MAY 20 2013

**Re: Shaw Funding, LLC, et al. v. Multifamily Products, LLC, et al.**  
**Case No. 2012-CP-23-06319**  
**RCCP 1560.0041**

SC COURT OF APPEALS

Dear Ms. Kitchings:

We represent the Respondents in the above-referenced appeal. In this matter we are filing a motion to dismiss the appeal based upon mootness, in addition to the fact that we have concurrently filed an Initial Brief. As there has been activity in case which we contend serves to moot the matters appealed by Appellants, therefore, we are submitting three additional items that should be designated to be included in the Record on Appeal. Those items are the following:

- Transcript of Record of November 29, 2012;
- Transcript of Record of March 5, 2013;
- Order Appointing a Receiver dated April 26, 2013.

It is my understanding that the transcript of record dated March 5, 2013 had been recently ordered by but has not yet been received by my office. Accordingly, attached for filing is the Respondents' Designation of Matter to be included in the Record on Appeal which denotes three above-referenced transcripts and order.

With highest regards, I am

Sincerely,

ROE CASSIDY COATES & PRICE

  
D. Randle Moody II

DRM/esg

Enclosure: (as stated above)

cc: Randall S. Hiller w/ enclosures  
Attorney for Appellant