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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas
Fifteenth Judicial Circuit

The Honorable Michael G. Nettles,
Circuit Court Judge

APPELLATE CASE NO. 2022-0010355

Grand Strand Resort, III Homeowners Association, Inc., Respondent,

v.

PGP III, LLC, Philip "Phil" G. Pate, South Atlantic Bank, and United Community Bank,
Defendants.

Of whom PGP III, LLC and Philip "Phil" G. Pate are the Appellants.

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

PGP III, LLC and Philip "Phil" G. Pate, pursuant to Rule 209, SCACR, designate the following material to be included in the Record on Appeal:

ORDERS AND DECISIONS:

1. Order Denying Defendants' Motion for Continuance (*filed October 7, 2021*)
2. Order of Reference (*filed October 20, 2021*)
3. Order Denying Motion to Alter or Amend (*filed June 16, 2021*)

PLEADINGS

4. Lis Pendens, Deficiency Requested (*filed November 2, 2020*)
5. Notice of Condominium Assessment Lien (*recorded November 2, 2020*)
6. Complaint for Judgment and Foreclosure, Deficiency Requested (*filed November 5, 2020*)
 - a. Exhibit A, Legal Description (*filed November 5, 2020*)
 - b. Exhibit B, Verified Statement of Account (*filed November 5, 2020*)
7. Answer and Counterclaim of PGP III, LLC and Phil G. Pate (*filed Jan. 25, 2021*)
8. Reply to Defendants' PGP III, LLC and Philip G. Pate's Answer and Counterclaims, (*filed March 24, 2021*)

TRANSCRIPTS:

9. Transcript of Record, January 27, 2022, The Honorable Michael Nettles

MOTIONS AND OTHER FILINGS:

10. Notice of Motion to Refer & Appoint Receiver (*filed November 13, 2020*)
11. Affidavit of Service, Phil G. Pate (*filed December 16, 2020*)
12. Affidavit of Service, PGP III, LLC (*filed December 16, 2020*)
13. Motion to Compel Discovery Responses (*filed October 5, 2021*)
14. Affidavit of Phil G. Pate (*filed October 11, 2021*)
15. Motion to Alter and Amend Order of Reference Filed on October 20, 2021 (*filed November 1, 2021*)
16. Motion to Reconsider Referral of Jury Trial Demand (*filed November 1, 2021*)
17. Motion to Amend Answer for Counterclaim and 3rd Party Complaint (*filed January 27, 2022*)
 - a. Proposed Draft of Amended Complaint (*filed January 27, 2022*)

OTHER MATERIALS AND DOCUMENTS:

- 18. Governing Documents
 - a. Master Deed Grand Strand Resort III Horizontal Property Regime (recorded *August 19, 1988*)
 - b. Amendment to Master Deed for Grand Strand Resort III Horizontal Property Regime (*recorded January 25, 1994*)
- 19. Letter to William W. DesChamps, Jr. regarding Unfair Debt Collection and Deficient Discovery Responses, Nov. 10, 2021
- 20. Deposition Transcript of Renee M. Paige, January 27, 2022
 - a. Grand Strand Resort III HOA Customer Balance Detail (Bates Stamped 148)
 - b. Grand Strand Resort III Called HOA Meeting March 30, 2020 (Bates Stamped 002)

The undersigned certifies that this designation contains no matter which is irrelevant to this Appeal.

Respectfully submitted,

**BELLAMY, RUTENBERG, COPELAND,
EPPS, GRAVELY & BOWERS, P.A.**

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December 21, 2022

**George W.
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Reason: I agree to the terms defined by the
placement of my signature on this document
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