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**Feb 02 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas  
The Honorable Bentley D. Price, Circuit Court Judge

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Circuit Court Case No. 2017-CP-07-01057  
Appellate Case No. 2022-000867

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Bittmint LLC and Harbour Town Surf Shop LLC.....Appellants,

v.

Lynda H. Johnson, Charles S. Giannone, and Sea Pines Resort, LLC,  
.....Respondents.

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

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Appellants Bittmint LLC and Harbour Town Surf Shop LLC, pursuant to Rule 209,  
SCACR, designate the following material to be included in the Record on Appeal:

**Orders and Judgments**

1. Form 4 Order: Motion for Directed Verdict Was Granted (filed Sept. 27, 2022)
2. Order, re: Attorney's Fees and Costs (filed June 6, 2022)
3. Form 4 Order: Motion for Fees Granted (filed May 24, 2022)
4. Order, re: Motion to Reconsider Denied (filed May 24, 2022)
5. Verbal Order, Transcript pp. 359-378
6. Order Denying Defendants' Motion for Summary Judgment (filed Jan. 13, 2020)
7. Order Denying Plaintiffs' Motion for Summary Judgment (filed Jan. 13, 2020)
8. Form 4 Order: Denying Motion for Partial Summary Judgment and Motion to Amend Complaint; Granting Motion to Disqualify (filed Jan. 20, 2022)

## **Pleadings**

9. Second Amended Complaint with exhibit (filed Dec. 19, 2018)
10. Jury Demand (filed Dec. 26, 2018)
11. Answer of Defendants Giannone and Johnson to Second Amended Complaint (filed Jan. 3, 2019)
12. Answer of Defendant Resort to Second Amended Complaint (filed Jan. 3, 2019)
13. Amended Answer of Defendant Resort to Second Amended Complaint (filed Jan. 27, 2021)
14. Amended Answer of Defendants Giannone and Johnson to Second Amended Complaint (filed Jan. 27, 2021)

## **Motions and Exhibits**

15. Plaintiffs' Motion for Summary Judgment (filed June 27, 2019)
16. Defendants' Motion for Summary Judgment (filed July 15, 2019)
17. Defendants' Motion for Partial Summary Judgment (filed Sept. 24, 2021)
18. Defendants' Motion in Limine (re: Damages) (filed Oct. 10, 2021)
19. Defendants' Motion in Limine (re: Dead Man's Statute) (filed Oct. 10, 2021)
20. Defendants' Motion in Limine (re: Harbour Town Surf Damages) (filed Oct. 10, 2021)
21. Defendants' Motion in Limine (re: Opinion Testimony) (filed Oct. 10, 2021)
22. Plaintiffs' Memorandum in Opposition to Motion for Partial Summary Judgment (filed Jan. 2, 2022)
23. Plaintiffs' First Motion in Limine (re: Right of First Refusal) (filed Feb. 25, 2022)
24. Plaintiffs' Second Motion in Limine (re: Right of First Refusal) (filed Feb. 25, 2022)
25. Plaintiffs' Third Motion in Limine (re: Right of First Refusal) (filed Feb. 25, 2022)
26. Defendants' Memorandum in Support of Motions in Limine and exhibits (filed Feb. 28, 2022)
27. Defendants' Memorandum in Opposition to Plaintiffs' First Motion in Limine (filed March 2, 2022) ?

## **Transcripts**

28. Trial Transcript (Feb. 28, 2022-March 2, 2022)
29. Transcript of hearing (May 18, 2022)

## **Trial Exhibits**

30. Clerk of Court's List of Trial Exhibits (filed March 2, 2022)
31. Plaintiffs' Exhibit 1
32. Plaintiffs' Exhibit 2
33. Plaintiffs' Exhibit 3
34. Plaintiffs' Exhibit 8a
35. Plaintiffs' Exhibit 8b

36. Plaintiffs' Exhibit 8c
37. Plaintiffs' Exhibit 8d
38. Plaintiffs' Exhibit 8e
39. Plaintiffs' Exhibit 9
40. Plaintiffs' Exhibit 10
41. Plaintiffs' Exhibit 11
42. Plaintiffs' Exhibit 13
43. Plaintiffs' Exhibit 14a
44. Plaintiffs' Exhibit 14b
45. Plaintiffs' Exhibit 14c
46. Plaintiffs' Exhibit 14d
47. Plaintiffs' Exhibit 15c
48. Plaintiffs' Exhibit 15d
49. Plaintiffs' Exhibit 17c
50. Plaintiffs' Exhibit 18
51. Plaintiffs' Exhibit 20
52. Plaintiffs' Exhibit 22
53. Plaintiffs' Exhibit 24
54. Plaintiffs' Exhibit 25b
55. Plaintiffs' Exhibit 26a
56. Plaintiffs' Exhibit 26b
57. Plaintiffs' Exhibit 27
58. Plaintiffs' Exhibit 28
59. Plaintiffs' Exhibit 29a
60. Plaintiffs' Exhibit 30a
61. Plaintiffs' Exhibit 30b
62. Plaintiffs' Exhibit 31a
63. Plaintiffs' Exhibit 32
64. Plaintiffs' Exhibit 33
65. Plaintiffs' Exhibit 34
66. Defendants' Exhibit 9

Pursuant to Rule 209(c), SCACR, I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

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s/ Ainsley F. Tillman

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