

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Larry B. Hyman, Jr., Circuit Court Judge

Case No. 10-CP-26-9113
Appellate Case No.: 2012-213156

RECEIVED

JUN 13 2013

SC Court of Appeals

Scott Lemons and Gold Coast Resorts, LLC.....Appellant,

v.

The McNair Law Firm, P.A.....Respondents.

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

Respondent McNair Law Firm, P.A. proposes the following be included in the Record on Appeal:

1. Order filed September 11, 2012 granting McNair Law Firm, P.A.'s Motion for Summary Judgment;
2. Complaint filed September 28, 2010;
3. Answer of McNair Law Firm, P.A. filed January 5, 2011;
4. McNair Law Firm, P.A.'s Motion for Summary Judgment filed June 11, 2012;
5. McNair Law Firm, P.A.'s Memorandum in Support of Motion for Summary Judgment filed June 27, 2012;
6. Transcript of Summary Judgment Hearing Held before The Honorable Larry B. Hyman, Jr. on July 30, 2012;


7. Plaintiffs' Supplemental Memorandum in Opposition to Summary Judgment dated August 2, 2012;
8. McNair Law Firm, P.A.'s Reply Memorandum in Support of Motion for Summary Judgment filed August 3, 2012;
9. Deposition of Scott Lemons taken on December 9, 2011:
 - a. p. 3, line 11 – p. 5, line 12;
 - b. p. 10, line 12 – p. 13, line 6;
 - c. p. 14, line 24 – p. 22, line 8;
 - d. p. 34, line 18 – p. 36, line 24;
 - e. p. 110, line 25 – p. 123, line 16;
 - f. p. 128, line 23 – p. 129, line 6;
 - g. p. 131, line 13 – p. 135, line 14;
 - h. p. 139, line 5 – p. 142, line 6;
 - i. p. 148, line 18 – p. 155, line 19;
 - j. p. 173, lines 10-16;
 - k. p. 175, line 20 – p. 176, line 2;
 - l. p. 177, line 16 – p. 178, line 24;
 - m. p. 179, lines 23 – p. 180, line 5;
 - n. p. 189, line 11 – p. 190, line 1;
 - o. p. 193, lines 20-23.
10. Deposition of Scott Lemons taken on April 27, 2012;
 - a. p. 201, line 11 – p. 202, line 25;
 - b. p. 228, line 18 – p. 229, line 17;
 - c. p. 234, line 5 – p. 237, line 3;
 - d. p. 248, line 4 – p. 250, line 8;
 - e. Exhibit 22
11. Deposition of Scott Lemons taken on March 11, 2008 (in underlying case);
 - a. p. 39, lines 6-22;
 - b. p. 45, lines 19-21.
12. September 27, 2006 Commission Agreement between Lemons and Re/Max at the Coast/Naomi.
13. September 29, 2006 Contract between Delduca and Lemons;
14. October 28, 2006 Contract between Hyatt and Gold Coast;
15. October 28, 2006 Commission Agreement Executed by Lemons.

16. Complaint filed by C.S.E. Enterprises, et al v. Lemons and Gold Coast filed December 19, 2006;
17. Lemons/Gold Coast Answer and Third Party Complaint in CSE Enterprises, et al case filed January 17, 2007;
18. May 18, 2007 McNair Memorandum;
19. April 11, 2008 Settlement Agreement as to Claims Involving Kenny Hyatt;
20. May 8, 2008 Letter from Mark McAdams to Scott Lemons;
21. Executed Mutual Release;
22. June 18, 2008 Order Signed by Honorable J. Stanton Cross, Jr.;
23. June 26, 2008 Motion to Alter or Amend Judgment;
24. August 12, 2008 Letter from McNair to Scott Lemons;
25. Lemons and Gold Coast's Memorandum in Support of Motion to Alter or Amend the Judgment filed by Tommy Brittain;
26. December 10, 2008 Order Signed by Honorable Ralph P. Stroman;
27. November 20, 2009 Final Brief of Respondents Scott Lemons and Gold Coast, LLC
28. Order of South Carolina Court of Appeals filed June 7, 2011 in CSE Enterprises, et al v. Lemons, et al;
29. LinkedIn Profile Page of Scott Lemons.

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

[Signature Page Follows]

SOWELL GRAY STEPP & LAFFITTE, L.L.C.

By:  _____

Robert E. Stepp

S.C. Bar No.: 5335

Roland M. Franklin, Jr.

S.C. Bar No.: 14247

William H. Jordan

S.C. Bar No.: 76172

1310 Gadsden Street

Post Office Box 11449

Columbia, South Carolina 29211

(803) 929-1400

Attorneys for Respondent McNair Law Firm, P.A.

Columbia, South Carolina

June 13, 2013

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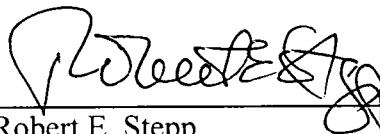
v.

The McNair Law Firm, P.A.,

Respondent.

PROOF OF SERVICE

I certify that I have served the Initial Brief of Respondent and Respondent's Designation of Matter to be Included in the Record on Appeal on Appellants Scott Lemons and Gold Coast Resorts, LLC by hand delivery on June 13, 2013, addressed to their attorney of record, Mark W. Hardee, Esquire, Hardee Law Firm, 2301 Devine Street, Columbia, South Carolina 29205.



Robert E. Stepp
Roland M. Franklin, Jr.
William H. Jordan
SOWELL GRAY STEPP & LAFFITTE, L.L.C.
1310 Gadsden Street
Post Office Box 11449 (29211)
Columbia, South Carolina 29201
(803) 929-1400

Attorneys for Respondent McNair Law Firm, P.A.

June 13, 2013