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**Apr 06 2023**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas  
The Honorable R. Scott Sprouse

Case No. 2020-CP-04-01202  
Appellate Case No. 2022-001527

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Moats Construction, Inc.,

Appellant,

v.

Cecil R. Dyar,

Respondent.

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

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David L. Paavola, SC Bar No. 100714  
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[paavola@conlaw.com](mailto:paavola@conlaw.com)  
Attorney for Moats Construction, Inc.

Appellant, Moats Construction, Inc., with consent of Responding, hereby amends its designation of matter to be included in the record on an appeal:

### **Orders**

1. Form 4 Order Summary Judgment (May 4, 2021)
2. Order Granting Defendant's Motion for Summary Judgment (June 10, 2021)
3. Form 4 Order Damages (April 11, 2022)
4. Form 4 Order Denying Motion Reconsideration Summary Judgment (July 21, 2022)
5. Order Denying Motion/Alter and/or Amend (October 4, 2022)
6. Notice of Sale (October 10, 2022)
7. Consent Order and Satisfaction of Judgment (November 23, 2022)

### **Judgments**

8. Order Granting Defendant's Motion for Damages and Judgment of Foreclosure and Sale (July 21, 2022)

### **Pleadings and Motions**

9. Complaint with Exhibit (June 2, 2020)
10. Answer and Counterclaim with Exhibit (June 23, 2020)
11. Motion for Judgment on the Pleadings or, in the alternative, Motion for Summary Judgment with Exhibit (February 18, 2021)
12. Motion Enlargement of Time to Reply to Counterclaim with Exhibit (Feb. 22, 2021)
13. Memorandum in Opposition to Motion for Default Judgment and Motion for Summary Judgment with Exhibits (April 11, 2021)
14. Motion to Reconsider & Amend Judgment (May 7, 2021)
15. Amended Motion to Reconsider & Amend Judgment (June 18, 2021)
16. Plaintiff's Motion to Alter or Amend Order Defendant's Motion for Damages and Judgment of Foreclosure and Sale with Exhibits (July 29, 2022)

### **Transcripts**

17. Transcript of Record of Hearing Motion for Summary Judgment pp. 1-19 (April 13, 2021)
18. Transcript of Record of Hearing Damages pp. 1-58 with Exhibits (February 24, 2022)
19. Transcript of Record of Hearing Proposed Damages Order, Motion Reconsider, Motion Relieve as Counsel, Status Conference 4-21 (July 20, 2022).
20. Transcript of Record of Hearing Motion to Alter or Amend Damages pp. 1-23 (September 8, 2022)

**Other**

21. Affidavit of Russell Tyson Moats (Jan. 30, 2023)
22. Letter Jim Logan to David Paavola (Oct. 25, 2022)

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

/s/ David L. Paavola  
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April 6, 2023