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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

Appellate Case No. 2022-001557  
Common Pleas Case No. 2016-CP-42-01854

Chandelle Property Owners Association .....Respondent,

v.

James Douglas Armstrong, Jane Armstrong, Kenneth L. Galloway, Molly C. Galloway, Warren Johnson, Rhonda Johnson, John K. Payne, Ruth G. Payne, and Jane Van Wieren as Trustee of the Greer R.G. Irrevocable Property Trust, dated October 26, 2006, and also all other persons unknown, claiming any right, title, estate, interest in or lien upon the real estate described in the complaint herein, Defendants,

and

James Douglas Armstrong, Jane Armstrong, Warren Johnson, Rhonda Johnson, John K. Payne, Ruth G. Payne, and Jane Van Wieren as Trustee of the Greer R.G. Irrevocable Property Trust dated October 25, 2006, Third-Party Plaintiffs,

v.

Billy J. Israel, Bruce R. Goldberg, Cindy R. Goldberg, and George Lynn Fleming in their personal and official capacities, Third-Party Defendants,

and

Kenneth L. Galloway and Molly C. Galloway, Third-Party Plaintiffs,

v.

Billy J. Israel, Bruce R. Goldberg, Cindy R. Goldberg, and George Lynn Fleming, in their personal and official capacities, Third-Party Defendants,

Of whom James Douglas Armstrong, Jane Armstrong, Warren Johnson,

**THIS COMMUNICATION IS FOR THE PURPOSE OF COLLECTING A DEBT.  
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

Rhonda Johnson, John K. Payne, Ruth G. Payne, and Jane Van Wieren  
as Trustee of the Greer R.G. Irrevocable Property Trust dated  
October 25, 2006, are the ..... Appellants.

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

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Respondent proposes the following be included in the Record on Appeal:

1. Initial Summons and Complaint, filed 5/16/16 (no exhibit)
2. Amended Summons and Complaint, filed 6/2/16 (no exhibit)
3. Complex Case Order, filed 10/14/16
4. Order as to Complex Case Designation, Consolidation and Mediation, filed 4/5/17
5. Second Amended Summons and Complaint, filed 7/19/17 (no exhibit)
6. Answer of Armstrongs, Johnsons, and Paynes, filed 8/15/17
7. Answer of Jane Van Wieren as Trustee of the Greer R.G. Irrevocable Property Trust dated October 25, 2006, filed 11/15/17
8. Plaintiff’s Reply to Counterclaims of Armstrongs, Johnsons, and Paynes, filed 8/30/17
9. Plaintiff’s Reply to Counterclaims of Jane Van Wieren as Trustee of the Greer R.G. Irrevocable Property Trust dated October 25, 2006, filed 12/8/17
10. Notice of Bankruptcy – CSC Developers, LLC, filed 9/27/18
11. Notice of Bankruptcy – Chandelle Runway, LLC, filed 10/4/18
12. Form 4 Order Staying Case Due to Bankruptcy, filed 9/13/19
13. Notice of Bankruptcy Court Orders (including all exhibits thereto), filed 7/15/20
14. Third Amended Summons and Complaint (including all exhibit(s) thereto), filed 11/3/20
15. Appellants’ Answer to Third Amended Complaint, Counterclaims, and Third Party Complaint, filed 11/24/20
16. Plaintiff’s Reply to Appellants’ Counterclaims, filed 12/7/20
17. Plaintiff’s and Third-Party Defendants’ Motion to Dismiss or Alternatively for Partial Summary Judgment Regarding Counterclaims and Third-Party Claims, filed 7/26/22
18. Memorandum in Support of Plaintiff’s and Third-Party Defendants’ Motion to Dismiss or Alternatively for Partial Summary Judgment Regarding Counterclaims and Third-Party Claims, filed 7/26/22
19. Plaintiff’s Motion for Partial Summary Judgment against Appellants, filed 8/19/22
20. Appellants’ Memorandum in Opposition to Plaintiff’s Motion for Partial Summary Judgment, filed 9/9/22
21. Appellants’ Memorandum in Opposition to Plaintiff’s and Third-Party Defendants’ Motion to Dismiss or Alternatively for Partial Summary Judgment Regarding Counterclaims and Third-Party Claims, filed 9/9/22
22. Plaintiff’s Memorandum in Support of its Motion for Partial Summary Judgment Against Appellants (including all exhibits (including those filed as continuations of exhibits)), filed 9/9/22.

23. Transcript of 9/13/22 motions hearing (all pages)
24. Order Denying Plaintiff's and Third-Party Defendants' Motion to Dismiss or in the Alternative Summary Judgment as to Counterclaims and Third-Party Claims, filed 10/19/22.
25. 10/25/22 Email from Wendell Hawkins to the Court providing Memorandum in Opposition to Plaintiff's Proposed Order Granting Partial Summary Judgment, together with the attached Memorandum in Opposition to Plaintiff's Proposed Order Granting Partial Summary Judgment
26. 10/26/22 Email from Ely Grote to the Court responding to Appellants' Memorandum in Opposition to Plaintiff's Proposed Order Granting Partial Summary Judgment
27. Order Granting Plaintiff's Motion for Partial Summary Judgment Against Appellants, filed 10/29/22
28. Form 4 Order, filed 10/31/22
29. Notice of Appeal, filed 11/1/22

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

April 19, 2023

*s/ Ely O. Grote*  
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**ATTORNEY FOR RESPONDENT**