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May 23 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from Oconee County
Court of Common Pleas

Hon. Steven C. Kirven, Master-in-Equity
2019CP3700687 and 2020CP3700188

Appellate Case No. 2022-001189

Montgomery Holdings, LLC d/b/a IBI Builders.....Respondent,

Versus

Christopher J. Merlo and GrandSouth Bank.....Defendants.

AND

Christopher J. Merlo.....Appellant,

Versus

Gregory K. Grissinger, Jr., and John Montgomery.....Respondents.

RESPONDENTS' DESIGNATION OF MATTER

Respondents designate the following for inclusion in the Record on Appeal:

1. Plaintiff's Motion and Order Cancelling the Foreclosure Sale filed on August 29, 2022
2. Satisfaction of Judgment filed on August 29, 2022
3. Order Denying Merlo's Motion and [Proposed] Order Pursuant to South Carolina Code Ann. § 18-9-130(2) filed on August 26, 2022
4. Order Denying Motion to Alter to Amend filed on August 17, 2022
5. IBI's Grissinger's, and Montgomery's Response in Opposition to Merlo's Motion to Alter or Amend filed on August 8, 2022
6. Notice of Sale filed on July 28, 2022
7. Master-in-Equity's Order and Judgment of Foreclosure and Sale filed on July 20,

- 2022.
8. Consent Order for Order of Reference to Master-in-Equity filed on August 30, 2021 (2019CP3700687).
 9. Consent Order for Consolidation filed on August 30, 2021 (2019CP3700687 and 2020CP3700188).
 10. Answer and Affirmative Defenses filed on March 23, 2020 (2020CP3700188).
 11. Complaint filed on March 6, 2020 (2020CP3700188)
 12. Order Granting Plaintiff's Motion to Compel Answers to Interrogatories and Responses and Documents to Requests for Production and Granting Third Party Defendants' Motion to Strike/Dismiss Third Party Complaint in its Entirety filed on February 18, 2020 (2019CP3700687).
 13. Plaintiff's Answer and Affirmative Defenses to Defendant's Counterclaims filed on December 20, 2019 (2019CP3700687).
 14. Merlo's Answer, Counterclaim and Third Party Complaint filed on November 21, 2019 (2019CP3700687).
 15. Complaint filed on November 8, 2019 (2019CP3700687).
 16. Trial Transcript from May 24 – May 27, 2022, p. 1 – 828.
 17. Plaintiff's Trial Exhibits 1 – 93.

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

Respectfully submitted,



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May 23, 2023
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