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May 31 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE GREENVILLE COUNTY
Court of Common Pleas

The Honorable Charles B. Simmons, Jr.
Master in Equity

Appellate Case No. 2023-000726
Circuit Court Case No. 2018-CP-23-3124

Rallis Holdings, LLC and Oriole Properties, LLC, Third-Party Petitioners,

In RE: Clear Skies Restorations, LLC, Plaintiff, Plaintiff,

v.

Ivan Martinez and Paula A. Martinez, Defendants,

of whom

Ivan Martinez and Paula A. Martinez are the Appellants,

and

Oriole Properties, LLC and Rallis Holdings, LLC are the Respondents.

APPELLANTS' DESIGNATION OF THE MATTER

Appellant designates the following to be included in the Record on Appeal:

ORDERS

1. Order for Entry of Default (Aug. 20, 2018).
2. Order of Reference (Aug. 24, 2018).

3. Order for Entry of Default (Dec. 31, 2018).
4. Order for Judgment and Decree of Foreclosure Sale (May 8, 2019).
5. Master Deed (Recorded June 11, 2019).
6. Order for Writ of Ejectment (June 12, 2019).
7. Order Granting Post-Judgment Motion (Sept. 4, 2019).
8. Order Regarding Appellants' Motion to Intervene and Motion to Reconsider (Sept. 19, 2019).
9. Order and Judgment (March 30, 2023).
10. Order Denying Motion to Reconsider (April 14, 2023).
11. Order Concerning Writ of Ejectment (April 17, 2023).

PLEADINGS

12. Summons and Complaint (June 1, 2018).
13. Summons and Amended Foreclosure Complaint (Sept. 26, 2018).

MOTIONS AND RELATED FILINGS

14. Affidavit of Service (July 3, 2018).
15. Affidavit of Default (Aug. 15, 2018).
16. Affidavit of Service on Ivan Martinez (Oct. 26, 2018).
17. Affidavit of Service on Paula Martinez (Oct. 26, 2018).
18. Affidavit of Publication (June 4, 2019).
19. Affidavit of Jonathan D. Custer (July 29, 2019).
20. Affidavit of Ronald D. Rallis, Jr. (Sept. 16, 2019).
21. Assignment of Bid (June 10, 2019).
22. Taxation of Costs (June 20, 2019).

23. Affidavit of Kevin Brady (Sept. 16, 2019).
24. Second Affidavit of Jonathan D. Custer (Sept. 4, 2019).
25. Stipulation of Dismissal (Sept. 16, 2019).
26. Motion for Entry of Default (Dec. 21, 2018), and accompanying exhibits:
 - Affidavit of Default.
 - Affidavit of Non-Military Service.
 - Title to Real Estate.
 - Real Property Tax Bill.
 - Automobile-Registration Records.
27. Motion to Stay Eviction (July 2, 2019).
28. Ivan Martinez Motion for Relief from Judgment (July 17, 2019).
29. Paula Martinez Motion for Relief from Judgment (July 31, 2019).
30. Clear Skies Rule 60 Motion to Correct Mistake (Aug. 21, 2019).
31. Response in Opposition to Rule 60 Motion (Sept. 4, 2019), and accompanying exhibit.
32. Motion to Intervene (Sept. 16, 2019).
33. Motion to Reconsider (Sept. 16, 2019), and accompanying memorandum in support and exhibits.
34. Remittitur From Court of Appeals/Reverse and Remand (Feb. 13, 2023).
35. Ivan and Paula Martinez Notice of Joinder of Motion (Feb. 16, 2023).
36. Ivan and Paula Martinez Memorandum in Support of Motion (Feb. 16, 2023) and accompanying exhibits.
37. Clear Skies Memorandum in Support of Motion (Feb. 17, 2023).
38. Affidavit of Brett Levine (Feb. 28, 2023).

39. Settlement Statement admitted at hearing (Feb. 28, 2023).
40. Master's Title admitted at hearing (Feb. 28, 2023).
41. Deposition transcript of Ivan Martinez admitted at hearing (Feb. 28, 2023).
42. Deposition transcript of Paula Martinez admitted at hearing (Feb. 28, 2023).
43. Handwritten Notes of Clay Custer admitted at hearing (Feb. 28, 2023).
44. Ad From Greenville News admitted at hearing (Feb. 28, 2023).
45. Text messages from Ron Rallis to Clay Custer admitted at hearing (Feb. 28, 2023).
46. Emails between Anna Bullington and Fran Powell admitted at hearing (Feb. 28, 2023).
47. Emails between Stokely Holder and Jennifer Boehmke admitted at hearing (Feb. 28, 2023).
48. Ivan and Paula Martinez Motion to Reconsider (April 10, 2023).
49. Ivan and Paula Martinez Motion to Stay (May 2, 2023) and accompanying exhibits.

TRANSCRIPTS

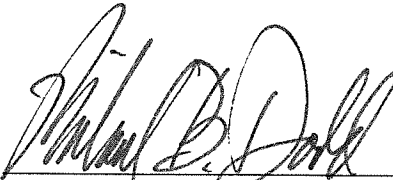
50. Foreclosure Hearing Transcript (Feb. 7, 2019).
51. Hearing Transcript (July 31, 2019).
52. Hearing Transcript (Aug. 1, 2019).
53. Hearing Transcript (Feb. 28, 2023).

OTHER MATERIALS

54. Notice of Appeal filed by Ivan and Paula Martinez

The below-signed certifies that this Designation contains no matter which is irrelevant to this appeal.

(signature page to follow)

By:  _____

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May 31, 2023