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**Jun 19 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

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APPEAL FROM JASPER COUNTY

Court of Common Pleas

Carmen T. Mullen, III, Circuit Court Judge

Trial Court Case No.: Case No. 2020-CP-27-00495

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Case No. 2023-000277

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SLF III - HARDEEVILLE, LLC,.....Respondent,

v.

RSV - HARDEEVILLE, LLC,.....Appellant.

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**DESIGNATION OF MATTER**

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Appellant RSV - Hardeeville, LLC, proposes the following be included in the Record on Appeal:

1. Summons and Complaint
2. Motion to Dismiss
3. SLF motion for summary judgment
4. Affidavit of Brana Snowden
5. Answer
6. Order entered April 9, 2021
7. Order entered April 26, 2021
8. Hearing Transcript, October 28, 2021
9. RSV motion for summary judgment

10. Affidavit of Stephen S. Bird, Esquire
11. SLF Renewed motion for summary judgment
12. SLF correspondence to court, December 13, 2021
13. RSV correspondence to court, December 14, 2021
14. SLF memorandum in opposition to RSV's motion for summary judgment
15. RSV reply memorandum in opposition to SLF's summary judgment motion and in support of RSV's motion for summary judgment
16. Email from court, March 20, 2022
17. SLF proposed order
18. Order Granting Plaintiff's Motion for Summary Judgment and Denying Defendant's Motion for Summary Judgment
19. RSV Notice of Motion and Motion to Reconsider, Alter and Amend
20. SLF memorandum in opposition
21. Order entered January 24, 2023
22. Notice of Appeal, February 22, 2023
23. Notice of Appeal, February 23, 2023

*[Remainder of Page Intentionally Left Blank. Certification and Signature Page to Follow.]*

**RULE 209 DESIGNATION OF MATTER CERTIFICATION**

I hereby certify pursuant to Rule 209(c), SCACR, that this Designation of Matter contains no matter which is irrelevant to this appeal.



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Attorneys for Appellant

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SLF III - HARDEEVILLE, LLC,.....Respondent,

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PROOF OF SERVICE

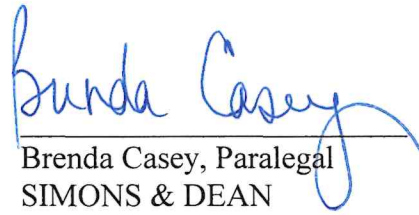
I certify that I have served the Designation of Matter upon counsel of record for Respondent SLF III - Hardeeville, LLC via the primary email addresses provided in the Attorney Information System (AIS).

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June 19, 2023

Attorneys for Appellant

## Brenda Casey

---

**From:** Brenda Casey  
**Sent:** Monday, June 19, 2023 2:49 PM  
**To:** cshoun@nexsenpruet.com; dblack@nexsenpruet.com; scott@talleylawfirm.com  
**Cc:** klsimons@simonsanddean.com  
**Subject:** SLF III-Hardeeville, LLC vs. RSV-Hardeeville LLC (Case No.: 2023-000277)  
**Attachments:** Initial Brief 6-19-23-signed.pdf; Proof of Service - Brief.pdf; Designation of Matter-signed.pdf; Proof of Service - Designation.pdf

Dear Counsel,

Attached is the Initial Brief of Appellant; Proof of Service of Initial Brief of Appellant; Appellant's Designation of Matter and Proof of Service of Appellant's Designation of Matter in connection with the above-referenced matter that will be emailed to the Court of Appeals today for filing.

Thank you,  
Brenda

Brenda Casey  
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843-762-9132/843-406-9913 *facsimile*  
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# SIMONS & DEAN

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June 19, 2023

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Jun 19 2023

SC Court of Appeals

VIA EMAIL ONLY

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

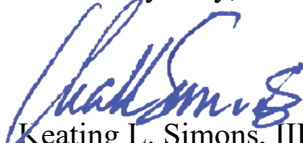
Re: *SLF III – Hardeeville, LLC v. RSV – Hardeeville, LLC*  
Appellate Case No.: 2023-000277

Dear Ms. Kitchings:

Enclosed is the Initial Brief of Appellant; Proof of Service of Initial Brief of Appellant; Appellant's Designation of Matter; Proof of Service of Appellant's Designation of Matter and email to all counsel of record for Respondent serving same in the above case. Upon filing, please return a clocked-in copy to me via email.

With kind regards, I remain

Yours very truly,



Keating L. Simons, III

KLS/bdc

Enclosures

cc: Cheryl D. Shoun, Esquire (via email w/enc.)  
J. David Black, Esquire (via email w/enc.)  
Scott F. Talley, Esquire (via email w/enc.)