

**RECEIVED**

**Jun 23 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Honorable Kristi F. Curtis, Circuit Court Judge

---

Case No. 2020-CP-26-06286  
Appellate Case No. 2023-000289

---

Jack Kelly,

Appellant,

v.

Roger D. Cox, Cox Millwork  
& Supply, Inc., Waterside  
Drive Boat Ramp, LLC, and  
Cox Properties, LLC

Respondents.

---

**DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD  
ON APPEAL BY RESPONDENTS  
ROGER D. COX, COX MILLWORK &  
SUPPLY, INC., WATERSIDE DRIVE  
BOAT RAMP, LLC, AND COX  
PROPERTIES, LLC**

---

Respondents Roger D. Cox, Cox Millwork & Supply, Inc., Waterside Drive Boat Ramp, LLC, and Cox Properties, LLC propose the materials in the attached Exhibit A be included in the Record on Appeal.

The undersigned hereby certifies this Designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

ROSS & CRISTALDI, LLC

*s/ Brenten H. DeShields*

Jeffrey A. Ross, Bar No.: 74254

Philip P. Cristaldi, III, Bar No.: 102219

Emily C. Sheets, Bar No.: 78768

Brenten H. DeShields, Bar No.: 105199

863 Coleman Boulevard, Suite B

Mt. Pleasant, South Carolina 29464

Phone: (843) 329-4040

Email: [jross@rclawsc.com](mailto:jross@rclawsc.com)

[pcristaldi@rclawsc.com](mailto:pcristaldi@rclawsc.com)

[esheets@rclawsc.com](mailto:esheets@rclawsc.com)

[bdeshields@rclawsc.com](mailto:bdeshields@rclawsc.com)

***Attorneys for Respondents***

Mt. Pleasant, South Carolina

June 23, 2023

**EXHIBIT A**  
**PROPOSED DESIGNATION OF RECORD ON APPEAL**

1. Appellant's Complaint filed October 30, 2020.
2. Respondents' Answer filed January 15, 2021.
3. Amended Consent Scheduling Order filed August 31, 2022.
4. Transcript of Appellant's Deposition Vol. I.
5. Transcript of Appellant's Deposition Vol. II.
6. Transcript of Dawn Sarte's Deposition.
7. Respondents' Motion for Summary Judgment filed August 17, 2022.
8. Respondents' Memorandum in Support of its Motion for Summary Judgment.
9. Appellant's Memorandum in Opposition of Respondent's Motion for Summary Judgment.
10. Revised Transcript of November 29, 2022, Hearing on Respondent's Motion for Summary Judgment.
11. Order Granting Respondent's Motion for Summary Judgment, filed December 29, 2022.
12. Appellant's Motion for Reconsideration.
13. Exhibit B to Appellant's Motion for Reconsideration.
14. Exhibit C to Appellant's Motion for Reconsideration.
15. Exhibit D to Appellant's Motion for Reconsideration.
16. Order Granting Summary Judgment as to all Defendants.
17. Form 4 Order denying Appellant's Motion for Reconsideration filed February 3, 2023.