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**Jul 10 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Alison Renee Lee, Circuit Court Judge

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Appellate Case No. 2022-001727  
Civil Action Case No. 2014-CP-40-07037

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Century Capital Group, LLC, **Appellant**,

v.

Midtown Development Group, LLC; Richland Joint Venture Group, LLC; Windsor  
Richland Mall, LP; and BRC Richland, LLC, Defendants,

Of whom Windsor Richland Mall, LP is the **Respondent**.

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**APPELLANT'S DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL**

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Appellant proposes the following be included in the Record on Appeal

1. Order on Appeal filed September 23, 2022;
2. Second Amended Complaint (2014-CP-40-07037) filed December 8, 2014,  
(Complaint);
3. Complaint Ex. 1, Reciprocal Easement, Covenant, Operation and Restriction  
Agreement and Declaration dated September 7, 2005, (REA);
4. Modification to the REA dated September 8, 2017;
5. Defendant's Answer to Complaint dated March 9, 2015;

6. Defendant's Motion and Supporting Memorandum for Summary Judgment filed May 11, 2015;
7. Order Granting Defendant's Motion for Summary Judgment dated September 17, 2015;
8. Court of Appeals Opinion filed July 1, 2019;
9. Remittitur from South Carolina Supreme Court filed January 31, 2020;
10. Defendant's Motion for Attorney Fees and Costs filed December 22, 2020;
11. Defendant's Memorandum in Support of its Motion for Attorney's Fees and Costs filed July 12, 2022;
12. Affidavit of Ruth A. Levy filed July 12, 2022;
13. Transcript of Hearing dated July 19, 2022;
14. Plaintiff's Memorandum in Opposition to Defendant's Motion for Attorney's Fees and Costs filed July 20, 2022;
15. Defendant's Reply to Plaintiff's Memorandum in Opposition filed July 27, 2022;
16. Supplemental Affidavit of Ruth A. Levy filed July 27, 2022;
17. Order Awarding Attorney's Fees and Costs to Defendant filed September 23, 2022;
18. Plaintiff's Motion to Reconsider Order Awarding Attorney's Fees and Costs filed October 3, 2022;
19. Defendant's Response to Plaintiff's Motion to Reconsider filed October 21, 2022; and
20. Order Denying Plaintiff's Motion to Reconsider filed November 22, 2022.

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

Respectfully Submitted,

*s/ D. Ryan McCabe, Jr.* \_\_\_\_\_

D. Ryan McCabe, Jr., SC Bar No. 16977

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**Attorney for Appellant**

July 3, 2023

Columbia, South Carolina