

RECEIVED

Aug 17 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE BEAUFORT COUNTY
Court of Common Pleas

The Honorable Bentley D. Price
Circuit Court Judge

Appellate Case No. 2023-000117

Kathleen M. Rankin,

Appellant,

v.

Palatial Homes, Inc. a/k/a Palatial Homes, LLC n/k/a Palatial Homes Design, LLC; Cesar Castro d/b/a Heritage Plastering, Inc. n/k/a Heritage Plastering & Stucco, LLC; CMC Steel Works, Inc.; AMI Ironworks LLC a/k/a American Master Ironworks, LLC; Enaldo Urriola d/b/a Advanced Roofing Services n/k/a Ankon Construction Services, LLC; Kelca Counters, Inc.; John Does 1-20; Cambridge Building, Inc.; Two Brothers Plastering, Inc; William T. Ruarks d/b/a Ruacon Quality Construction; Jimmy J. Metcalf, Jr. d/b/a Quality Roof Services; Ionut D. Istrate d/b/a Island Plasters LLC; 11 Harrogate Drive Realty Trust; Michael Grondahl; Hilton Head Exterminators, Inc.; and Imperial Pest Controllers, Inc.; Terminix Service, Inc.,

Defendants,

Of which Hilton Head Exterminators, Inc., is the Respondent.

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

Respondent Hilton Head Exterminators, Inc. proposes the following be included in the Record on Appeal:

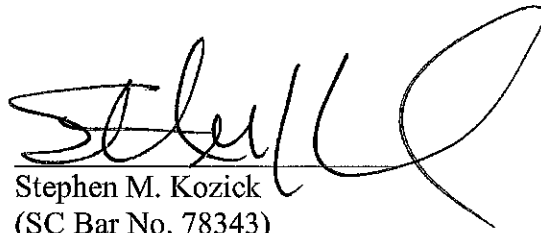
1. Original Summons and Complaint (filed March 26, 2020),
2. Amended Summons and Complaint (filed October 19, 2020),
3. Hilton Head Exterminators, Inc.'s Answer to Amended Complaint (filed December 8, 2020),

4. Second Amended Summons and Complaint (filed May 20, 2021),
5. Hilton Head Exterminators, Inc.'s Answer to Second Amended Complaint (filed May 19, 2021),
6. Hilton Head Exterminators, Inc.'s Notice of Motion and Motion for Summary Judgment (filed June 21, 2022),
7. Hilton Head Exterminators, Inc.'s Memorandum in Support of Its Motion for Summary Judgment and all exhibits and attachments (filed August 11, 2022),
8. Kathleen M. Rankin's Memorandum in Opposition to Hilton Head Exterminators, Inc.'s Motion for Summary Judgment and all exhibits and attachments (filed August 12, 2022),
9. Transcript for Hilton Head Exterminators, Inc.'s Motion for Summary Judgment Hearing on August 15, 2022,
10. Order Granting Hilton Head Exterminators, Inc.'s Motion for Summary Judgment (filed August 31, 2022),
11. Kathleen M. Rankin's Motion to Alter or Amend Order Granting Summary Judgment to Hilton Head Exterminators, Inc., and all exhibits and attachments (filed September 7, 2022),
12. Hilton Head Exterminators, Inc.'s Response in Opposition to Kathleen M. Rankin's Motion to Alter or Amend Order Granting Summary Judgment and all exhibits and attachments (filed September 14, 2022), and
13. Amended Order Granting Hilton Head Exterminators, Inc.'s Motion for Summary Judgment (filed December 28, 2022).

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

[SIGNATURE ON FOLLOWING PAGE]

August 17, 2023

A handwritten signature in black ink, appearing to read 'SKozick', written over a horizontal line.

Stephen M. Kozick
(SC Bar No. 78343)
Kernodle Coleman
914 Folly Road, Suite G (29412)
P.O. Box 13897
Charleston, SC 29422-3897
(843) 795-7800
skozick@kernodlelaw.com

Attorneys for Respondent Hilton Head
Hilton Head Exterminators, Inc.

RECEIVED

Aug 17 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE BEAUFORT COUNTY
Court of Common Pleas

The Honorable Bentley D. Price
Circuit Court Judge

Appellate Case No. 2023-000117

Kathleen M. Rankin,

Appellant,

v.

Palatial Homes, Inc. a/k/a Palatial Homes, LLC n/k/a Palatial Homes Design, LLC; Cesar Castro d/b/a Heritage Plastering, Inc. n/k/a Heritage Plastering & Stucco, LLC; CMC Steel Works, Inc.; AMI Ironworks LLC a/k/a American Master Ironworks, LLC; Enaldo Urriola d/b/a Advanced Roofing Services n/k/a Ankon Construction Services, LLC; Kelca Counters, Inc.; John Does 1-20; Cambridge Building, Inc.; Two Brothers Plastering, Inc; William T. Ruarks d/b/a Ruacon Quality Construction; Jimmy J. Metcalf, Jr. d/b/a Quality Roof Services; Ionut D. Istrate d/b/a Island Plasters LLC; 11 Harrogate Drive Realty Trust; Michael Grondahl; Hilton Head Exterminators, Inc.; and Imperial Pest Controllers, Inc.;

Defendants.

Of whom Hilton Head Exterminators, Inc., is the Respondent.

CERTIFICATE OF SERVICE

I certify that I have served the *Respondent's Designation Of Matter To Be Included In The Record On Appeal* by email addressed to the attorneys of record at the following addresses:

Jesse Sanchez, Esquire
The Law Office of Jesse Sanchez, LLC
98 ½ Broad Street, Suite B
Charleston, SC 29401
jesse@jessesanchezlaw.com

and

Glynn L. Capell, Esquire
Charles W. Thomson, Esquire
Cappell Thomson, LLC
102 Wappoo Creek Dr., Unit 8
Charleston, SC 29412
GCapell@CapellThomson.com
CThomson@CapellThomson.com

Attorneys for Appellant Kathleen M. Rankin

Pursuant to Rule 262(C)(3), SCACR, and the Order of The Supreme Court of South Carolina, RE: Methods of Electronic Filing Under Rule 262 of the South Carolina Appellate Court Rules (As Amended May 6, 2022), a copy of the email correspondence to counsel is attached.

KERNODLE COLEMAN



By:

Stephen M. Kozick Esquire
(SC Bar No. 78343)
914 Folly Road, Suite G (29412)
P. O. Box 13897
Charleston, SC 29422
(843) 795-7800
(843) 795-3032 Fax
skozick@kernodlelaw.com

ATTORNEY FOR RESPONDENT
HILTON HEAD EXTERMINATORS, INC.

August 17, 2023

Charleston, South Carolina

Steve Kozick

From: Steve Kozick
Sent: Thursday, August 17, 2023 11:59 AM
To: Jesse Sanchez; Charlie Thomson; Glynn Capell; Paige Dagnan
Cc: Alison Sessoms
Subject: Kathleen M. Rankin v. Hilton Head Exterminators, Inc. 2023-000117
Attachments: Respondent's Certificate Service Designation of Matter - Rankin.pdf; Respondent's Certificate Service Initial Brief - Rankin.pdf; Respondent's Designation of Matter - Rankin.pdf; Respondent's Initial Brief - Rankin.pdf; Respondent's Letter of Service - Rankin.pdf

Good morning, Jesse, Charlie and Glynn.

Please find attached for service, Respondent's cover letter, Initial Brief, Designation of Matter to Be Included in the Record on Appeal, and Certificates of Service, all of which will be filed with the Court of Appeals today, with a cover letter and a copy of this e-mail.

Steve

Stephen M. Kozick, Esquire
Kernodle Coleman
914 Folly Road, Suite G
P.O. Box 13897
Charleston, SC 29422-3897
(843) 795-7800 main office
(843) 754-4255 cell
(843) 795-3032 fax

THIS EMAIL MESSAGE MAY CONTAIN PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND DELETE THE MESSAGE. THANK YOU.

Steve Kozick

From: Steve Kozick
Sent: Thursday, August 17, 2023 12:18 PM
To: 'Jesse Sanchez'; 'Charlie Thomson'; 'Glynn Capell'; 'Paige Dagnan'
Cc: Alison Sessoms
Subject: RE: Kathleen M. Rankin v. Hilton Head Exterminators, Inc. 2023-000117
Attachments: Respondent's Certificate Service Designation of Matter - Rankin.pdf; Respondent's Certificate Service Initial Brief - Rankin.pdf; Respondent's Letter of Service - Rankin.pdf

Good afternoon, all.

I just noticed a case number typo in our cover letter and the Certificates of Service. Those have been corrected, and the revised documents are attached. I apologize for the inconvenience.

Steve

From: Steve Kozick
Sent: Thursday, August 17, 2023 11:59 AM
To: 'Jesse Sanchez' <jesse@jessesanchezlaw.com>; Charlie Thomson <CThomson@capellthomson.com>; Glynn Capell <GCapell@capellthomson.com>; Paige Dagnan <pdagnan@capellthomson.com>
Cc: Alison Sessoms <asessons@kernodlelaw.com>
Subject: Kathleen M. Rankin v. Hilton Head Exterminators, Inc. 2023-000117

Good morning, Jesse, Charlie and Glynn.

Please find attached for service, Respondent's cover letter, Initial Brief, Designation of Matter to Be Included in the Record on Appeal, and Certificates of Service, all of which will be filed with the Court of Appeals today, with a cover letter and a copy of this e-mail.

Steve

Stephen M. Kozick, Esquire
Kernodle Coleman
914 Folly Road, Suite G
P.O. Box 13897
Charleston, SC 29422-3897
(843) 795-7800 main office
(843) 754-4255 cell
(843) 795-3032 fax

THIS EMAIL MESSAGE MAY CONTAIN PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND DELETE THE MESSAGE. THANK YOU.

914 Folly Road, Suite G
P.O. Box 13897
Charleston, SC 29422-3897
Phone (843) 795-7800
Fax (843) 795-3032

**KERNODLE
COLEMAN**
ATTORNEYS AT LAW

Stephen M. Kozick, Esquire
skozyick@kernodlelaw.com

RECEIVED

Aug 17 2023

SC Court of Appeals

August 17, 2003

VIA EMAIL ONLY

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211
scappfilings@sccourts.org

RE: *Rankin v. Palatial Homes, Inc., et al.*
Appellate Case No.: 2023-000117
Our File No.: 6042-138

Dear Ms. Kitchings:

Enclosed for filing, please find Respondent Hilton Head Exterminators, Inc.'s Initial Brief, Designation of Matter and Certificates of Service, with service e-mails attached, for each document in the above matter.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

KERNODLE COLEMAN



Stephen M. Kozick

SMK/kfg
Enclosures

Cc via email only: Jesse Sanchez, Esquire
Glynn L. Capell, Esquire
Charles W. Thomson, Esquire