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Aug 21 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

William H. Seals, Jr., Circuit Court Judge
Circuit Court Case No. 2022-CP-26-01323

Appellate Case No. 2023-000192

HSS BAREFOOT, LLC d/b/a CENTURY 21 BAREFOOT,
R&G CORP d/b/a CENTURY 21 THE HARRELSON GROUP,
KEVIN MILLS, MILLS, LLC, and GREG HARRELSON,Respondents,
JOEL D. BARBER,Appellant.

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

Pursuant to Rule 209, SCACR, Appellant Joel D. Barber, through counsel, hereby designates the following material for inclusion in the Record on Appeal:

- 1) Plaintiffs’ Motion for a Temporary Restraining Order and Temporary Injunction, filed March 2, 2022
- 2) Order Granting Temporary Injunction, filed April 8, 2022.
- 3) Summons and Amended Complaint, filed May 4, 2022.
- 4) Defendant Joel D. Barber’s Answer to Amended Complaint, Affirmative Defenses, and Counterclaims, filed June 3, 2022.
- 5) Affidavit of Rob Safa, filed July 25, 2022.
- 6) Affidavit of Susan Brown, filed July 25, 2022.
- 7) Third Affidavit of Greg Harrelson, filed July 25, 2022.

- 8) Plaintiffs' Motion for Contempt and Sanctions against Defendant, Joel D. Barber, filed July 25, 2022.
- 9) Affidavit of Joel D. Barber and accompanying exhibits, filed October 5, 2022.
- 10) Letter from Taylor K. Voegel to Horry County Clerk of Court and accompanying documents, filed October 27, 2022.
- 11) Plaintiffs' Motion to Compel Defendant Joel D. Barber's Discovery Responses, filed October 31, 2022.
- 12) Consent Order to File Under Seal Pursuant to Consent Confidentiality and Protective Order, filed November 8, 2022.
- 13) Fourth Affidavit of Greg Harrelson, filed November 11, 2022.
- 14) Second Affidavit of Joel D. Barber, filed November 15, 2022.
- 15) Transcript of Hearing in Court of Common Pleas, held November 16, 2022.
- 16) Form 4 granting Plaintiff's Motion for Contempt and Sanctions against Joel Barber, filed November 16, 2022.
- 17) Order Granting Plaintiffs' Motion for Contempt against Defendant Joel D. Barber, filed November 22, 2022.
- 18) Defendant Joel D. Barber's Motion to Reconsider, filed November 22, 2022.
- 19) Plaintiffs' Reply Memorandum of Law in Opposition to Defendant Joel D. Barber's Motion to Reconsider and accompanying exhibits, filed December 28, 2022.
- 20) Letter from Plaintiffs' counsel dated December 29, 2022, submitting sealed documents to the court pursuant to prior Consent Order.
 - 18(a) Homebot_000001—000833 [sealed by trial court order]
 - 18(b) Homebot_000788—000816 [sealed by trial court order]
 - 18(c) Homebot_000453, 000463, 000519, 000630, 000752 [sealed by trial court order]
 - 18(d) Affidavit of Records Custodian for Homebot, Inc. [sealed by trial court order]
 - 18(e) Barber000611—001035 [sealed by trial court order]

- 21) Affidavit of Sandra Churgin, filed December 29, 2022.
- 22) Defendant Joel D. Barber's Memorandum of Law in Support of Motion to Reconsider and accompanying exhibits, filed December 29, 2022.
- 23) Third Affidavit of Joel D. Barber and accompanying exhibits, filed December 29, 2022.
- 24) Transcript of Record: Motion for Temporary Restraining Order and Temporary Injunction, March 31, 2022, filed December 29, 2022.
- 25) Third Affidavit of Kevin Mills, filed December 30, 2022.
- 26) Fifth Affidavit of Greg Harrelson and accompanying exhibits, filed December 30, 2022.
- 27) Transcript of Hearing in Court of Common Pleas, held January 3, 2023.
- 28) Form 4 ruling on Defendant Joel D. Barber's Motion to Reconsider, filed January 9, 2023.
- 29) Amended Order Granting Plaintiffs' Motion for Contempt against Defendant Joel D. Barber, filed January 26, 2023.
- 30) Notice of Appeal, filed February 7, 2023.
- 31) Defendant Joel D. Barber's Motion to Stay Enforcement of Contempt Order Pending Appeal, filed February 7, 2023.
- 32) Form 4 ruling on Defendant Joel D. Barber's Motion to Stay Enforcement of Contempt Order Pending Appeal, filed March 24, 2023.
- 33) Appellant's Verified Petition for Writ of Supersedeas, filed May 5, 2023.
- 34) Appellant's Reply to Return to Verified Petition for a Writ of Supersedeas, filed May 16, 2023.
- 35) Order denying Verified Petition for Writ of Supersedeas, filed May 17, 2023.
- 36) Initial Brief of Appellant, filed May 31, 2023.
- 37) Appellant's Designation of Matter to be Included in Record on Appeal, filed May 31, 2023.
- 38) Respondent's Initial Brief, filed July 31, 2023.

- 39) Respondent's Designation of Matter to be Included in Record on Appeal, filed July 31, 2023.
- 40) Appellant's Reply Brief, filed August 21, 2023.
- 41) This Designation of Matter to be Included in Record on Appeal, filed August 21, 2023.

The undersigned certifies, pursuant to Rule 209(c), SCACR, that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted, this the 21st day of August, 2023.

SHUMAKER, LOOP & KENDRICK, LLP

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