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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Charleston County  
Court of Common Pleas  
Jennifer B. McCoy, Circuit Court Judge  
Trial Court Case No. 2022CP1000846

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Appellate Case No. 2023-001082

TOWN OF SULLIVAN'S ISLAND,

Respondent,

vs.

NATHAN BLUESTEIN and  
THEODORE ALBENESIUS, III,

Appellants.

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**APPELLANTS' DESIGNATION OF MATTERS  
TO BE INCLUDED IN THE RECORD ON APPEAL**

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Pursuant to Rule 209, SCACR, Appellants Nathan Bluestein and Theodore Albenesius, III,  
designate the following items for inclusion in the Record on Appeal:

**Orders**

Order, filed January 30, 2023;

Form 4 order, filed June 5, 2023;

**Pleadings and Motions**

Complaint, filed February 21, 2022;

Answer and Counterclaims, filed April 13, 2022;

Reply, filed May 13, 2022;

Plaintiff's Motion for Summary Judgment, filed May 23, 2022;

Defendants' Rule 59 Motion to Alter or Amend, filed February 8, 2023;

### **Hearing Materials**

Plaintiff's memorandum with exhibits, filed May 23, 2022;

Ex. A – 1991 Deed;

Ex. B – 2005 Town Trimming Code Section;

Ex. C – 2010 Permit Requests;

Ex. D – 2010 Permit Denials;

Ex. E – Docket Sheet for 2010 Original Deed Enforcement Action;

Defendants' memorandum with exhibits, filed September 16, 2022;

Ex. 1 – 1991 Deed;

Ex. 2 - Judge McCoy order 10/15/20;

Ex. 3 – Town Resolution;

Ex. 4 – Judge McCoy Order approving settlement 10/15/20;

Ex. 5 – Judge McCoy Order approving amendment 4/23/21;

Ex. 6 – Answer to Interrogatories;

Ex. 7 – Other Settlement Agreements;

September 22, 2022 Motion Hearing Transcript; and

Notice of Appeal.

The undersigned certifies that this Designation contains no material which is irrelevant to the appeal.

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September 8, 2023