

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas  
Kristi Lee Harrington, Circuit Court Judge

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Case No. 2011-CP-10-3794  
Court of Appeals Tracking No. 2013-000226

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Lauren Lee Mattox,

Respondent,

v.

PHH Mortgage Corporation a/k/a PHH Mortgage  
Services d/b/a Instamortgage.com,

Appellant. **RECEIVED**  
JUL 18 2013  
SC Court of Appeals

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

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M. DAWES COOKE, JR., ESQUIRE  
JEREMY E. BOWERS, ESQUIRE  
Barnwell, Whaley, Patterson and Helms, LLC  
Post Office Drawer H  
Charleston, South Carolina 29402  
Phone: (843) 577 – 7700  
Facsimile: (843) 577 – 7708  
ATTORNEYS FOR THE APPELLANT

Other Counsel of Record:

Jon L. Austen, Esquire  
Ian W. Freeman, Esquire  
Pratt-Thomas Walker, P.A.  
16 Charlotte Street  
Charleston, South Carolina 29403  
PHONE: (843) 727-2200  
Attorneys for the Respondent

Pursuant to Rule 209 of the South Carolina Appellate Court Rules, Appellant hereby designates the following materials to be included in the Record on Appeal in this matter. Unless otherwise expressly stated, each item designated is to include all attachments or exhibits to the original of the referenced item. Appellant expressly reserves the right to seek supplementation to the record pursuant to Rule 209 and 212, SCACR. Appellant designates the following matters for inclusion in the Record on Appeal:

1. Summons and Complaint filed on May 27, 2011
2. Affidavit of Personal Service filed on June 9, 2011
3. Affidavit of Default filed on July 5, 2011
4. Notice of Entry of Default filed on July 5, 2011
5. PHH Mortgage's Motion to Set Aside Entry of Default filed on August 9, 2011
6. Affidavit of Ronalda Harris-Godbolt filed on August 9, 2011
7. Respondent's Memorandum in Opposition to Motion to Set Aside Entry of Default filed October 4, 2011
8. Transcript from Hearing on Motion to Set Aside Entry of Default held on October 4, 2011
9. Order Denying Motion to Set Aside Entry of Default filed on October 10, 2011
10. Transcript from Default Damages Hearing held on November 15, 2012
11. Transcript from Default Damages Hearing held on November 16, 2012
12. Deposition Excerpts of Caine Henry read at the Default Damages Hearing
13. Deposition Excerpts of Georg Finder played at the Default Damages Hearing
14. Respondent's Notice of Motion and Post-Trial Motion to Confirm Jury's Award of Damages and Request for Attorneys' Fees and Trebles Damages under SCUPTA

15. Respondent's Memorandum in Support of Post-Trial Motion to Confirm Jury's Award of Damages and Request for Attorneys' Fees and Trebles Damages under SCUPTA
16. PHH Mortgage's Reply Memorandum in Support of Post-Trial Motion for Election of Remedies
17. PHH Mortgage's Memorandum in Opposition to Respondent's Post-Trial Motion for Treble Damages and Attorneys' Fees
18. Transcript of Hearing on Post-Trial Motion held on December 12, 2012
19. Order Affirming Jury Verdict, Trebling SCUPTA Damages, and Awarding Attorneys' Fees filed on December 17, 2012

Appellant certifies, pursuant to Rule 209(c), SCACR, that the designations set forth above are relevant to the appeal in this matter and that they have not designated any matter which is irrelevant to the issues before the Court.

BARNWELL WHALEY PATTERSON & HELMS, LLC

BY: 

M. DAWES COOKE, JR., ESQUIRE  
JEREMY E. BOWERS, ESQUIRE  
288 Meeting Street, Suite #200 (29401)  
Post Office Drawer H  
Charleston, South Carolina 29402  
PHONE: (843) 577-7700  
FACSIMILE: (843) 577-7708

ATTORNEYS FOR THE APPELLANT

Date: July 17, 2013  
Charleston, South Carolina

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**PROOF OF SERVICE**

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I certify that I have served the Appellant's Designation of Matter to be Included on Appeal upon the following by depositing a copy of it in the United States Mail, postage prepaid, on July 17, 2013, addressed as follows:

Jon L. Austen, Esquire  
Ian W. Freeman, Esquire  
Pratt-Thomas Walker, P.A.  
16 Charlotte Street  
Charleston, South Carolina 29403  
PHONE: (843) 727-2200



JEREMY E. BOWERS, ESQUIRE  
288 Meeting Street, Suite #200 (29401)  
Post Office Drawer H  
Charleston, South Carolina 29402  
PHONE: (843) 577-7700  
ATTORNEYS FOR THE APPELLANT