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Mar 07 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

The Honorable Benjamin H. Culbertson, Circuit Court Judge

CASE NO. 20-CP-22-00930
CASE NO. 20-CP-22-00931
CASE NO. 20-CP-22-00932

Sunset Lodge, LLC,Appellant,

v.

Town of Pawleys Island,.....Respondent.

and

Franklin D. Beattie, as trustee of the Franklin D. Beattie
Preservation Trust,Appellant,

v.

Town of Pawleys Island,.....Respondent.

and

M. Baron Stanton,Appellant,

v.

Town of Pawleys Island,.....Respondent.

APPELLANTS' SECOND
DESIGNATION OF MATTER (ON REPLY)
TO BE INCLUDED IN THE
RECORD ON APPEAL
(Including Certificate of Counsel)

With their Reply, Appellants designate the following additional matter pursuant to Rule 209, SCACR, and their counsel hereby certifies by his signature, that this designation contains no matter which is irrelevant to the appeal:¹

Exhibits and Other Materials or Documents

55. March 8, 2023 e-mail of Dillard to Moree without attachments.
56. March 9, 2023 e-mail of Stanton to Moree without attachments.
57. April 12, 2023 e-mail of Dillard to Moree without attachments.
58. April 12, 2023 e-mail of Stanton to Moree without attachments.
59. April 13, 2023 e-mail of Culbertson to attorneys acknowledging transmittals, declining to read before hearing, and advising of time limits.
60. April 14, 2023 e-mail of Stanton to Culbertson acknowledging latter's 4/13/23 e-mail.
61. April 14, 2023 e-mail of Stanton to Culbertson transmitting requested proposed order, without attachments.

Each designation is for all three counterparts from all three cases, unless the parties stipulate as follows. Suggested to Respondent's counsel is a stipulation that reference to a paper in one Challenge I case or Challenge II case is taken as an accurate reference to the corresponding papers and passages in the other two Challenge I or Challenge II cases, and a stipulation to including less than all the material designated herein, to wit, including, where substantially identical to corresponding papers in the other cases, one designated representative pleading, order, or other paper from the Sunset challenge case rather than from all three cases, and a stipulation that either party may explicitly designate separate additional inclusion of the counterpart of such an item, or later supplement the record with the designated papers from the

¹ Unless otherwise specified, all designations (including those not mentioning exhibits, attachments, or other accompanying filed materials), are with all exhibits, attachments or other accompanying filed materials, but without certificates of service.

other two challenge cases if that party deems it desirable to do so.

s/M. Baron Stanton

M. Baron Stanton (S.C. Bar#7970)
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Date: March 7 ,2024

ATTORNEY FOR APPELLANTS
Sunset Lodge, LLC, Franklin D. Beattie, as
Trustee, and M. Baron Stanton

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CERTIFICATE OF SERVICE

I, M. Baron Stanton, do hereby certify that I have, on this date, served the foregoing **Appellants' Second Designation of Matter to be Included in the Record on Appeal** upon the Respondent by causing a copy to be e-mailed in accordance with current rules to will@belsarpa.com . The postal mailing address of the above addressee is:

William C. Dillard, Jr., Esquire
Post Office Box 96
Columbia, SC 29202

s/M. Baron Stanton
M. Baron Stanton

Date: March 7, 2024