

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**  
JUL 22 2013  
SC Court of Appeals

---

APPEAL FROM YORK COUNTY  
Equity Court

The Honorable S. Jackson Kimball, III, Master-in-Equity

---

Case No. 2012-CP-46-02286

---

Charles Sonnenberg, Festival Corp., Phillip Pulley  
and Robert Foster, ..... Plaintiffs,

Of whom Phillip Pulley and Robert Foster are the Appellants,

v.

D&T Imports South Carolina, Inc. a Nevada Corporation,  
d/b/a Area 51 Fireworks, and York County,  
a political subdivision of the State of South Carolina, ..... Defendants,

Of which D&T Imports South Carolina, Inc., a Nevada Corporation,  
d/b/a Area 51 Fireworks, is the Respondent.

---

**DESIGNATION OF MATTER  
TO BE INCLUDED IN RECORD ON APPEAL**

---

Respondent proposes the following records (and their Exhibits) to be included in the Record on Appeal:

1. Verified Complaint filed June 19, 2012;
2. Appellants' Motion for Temporary Restraining Order and Preliminary Injunction filed June 19, 2012;
3. Order Granting Injunctive Relief filed June 21, 2012;

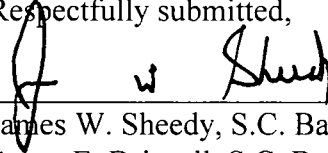
4. Respondent's Notice of and Motion to Dissolve *Ex Parte* TRO Against D&T filed June 26, 2012;
5. Appellants' Response to Motion to Dissolve *Ex Parte* TRO filed June 28, 2012;
6. Transcript of Hearing dated June 28, 2013;
7. Order Modifying Temporary Restraining Order filed June 29, 2012
8. Undertaking on Temporary Restraining Order filed July 2, 2012;
9. Increase in Amount of Undertaking filed July 27, 2012;
10. Respondent's Notice of and Motion to Dismiss Complaint Against D&T Imports South Carolina, Inc., a Nevada Corporation d/b/a Area 51 Fireworks filed August 17, 2012;
11. Respondent's Memorandum in Support of Motion to Dismiss filed September 21, 2012;
12. Order Granting Motion to Dismiss filed September 28, 2012;
13. Respondent's Notice of and Motion to Recover Damages Against Bond filed October 29, 2012;
14. Respondent's Memorandum in Support of Motion to Recover Damages Against Bond filed November 1, 2012;
15. Affidavit of Doug Cianfrocca filed November 1, 2012;
16. Affidavit of Attorneys' Fees filed November 1, 2012;
17. Transcript of Hearing dated November 1, 2012;
18. Order (Wrongful T.R.O.) filed November 13, 2012;
19. Respondent's Supplemental Affidavit of Attorneys' Fees filed November 29, 2012;
20. Deposition Transcript of Rick Ruonala dated January 9, 2013;
21. Supplemental Memorandum in Support of Motion to Recover Damages Against Bond filed January 16, 2013;
22. Transcript of Hearing dated January 16, 2013; and

23. Order (Damages and Attorneys' Fees) filed February 14, 2013.

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

Date: 7/18/13

Respectfully submitted,



James W. Sheedy, S.C. Bar No. 5052  
Susan E. Driscoll, S.C. Bar No. 71447  
Driscoll Sheedy, P.A.  
11520 N. Community House Road  
Suite 200  
Charlotte, N.C. 28277  
(704) 341-2101 - Telephone  
(704) 341-2015 - Facsimile  
jimsheedy@driscollsheedy.com  
sdriscoll@driscollsheedy.com

Attorneys for Respondent

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM YORK COUNTY  
Equity Court

**RECEIVED**

JUL 22 2013

**SC Court of Appeals**

The Honorable S. Jackson Kimball, III, Master-in-Equity

Case No. 2012-CP-46-02286

Charles Sonnenberg, Festival Corp., Phillip Pulley  
and Robert Foster, . . . . . Plaintiffs,

Of whom Phillip Pulley and Robert Foster are the Appellants,

v.

D&T Imports South Carolina, Inc., a Nevada Corporation,  
d/b/a Area 51 Fireworks, and York County,  
a political subdivision of the State of South Carolina, . . . . . Defendants,

Of which D&T Imports South Carolina, Inc., a Nevada Corporation,  
d/b/a Area 51 Fireworks, is the Respondent.

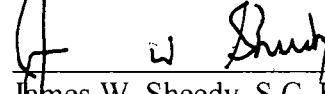
CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date indicated below he served counsel for Appellants with copies of the *Initial Brief of Respondent* and *Designation Of Matter To Be Included In Record On Appeal* by mailing a copy of the same via First Class, U.S. Mail, postage-paid on the date set forth below.

W. Keith Martens  
Daniel J. Ballou  
Hamilton Martens Ballou & Carroll, LLC  
P.O. Box 10940  
Rock Hill, S.C. 29730

Date: 7/18/13

Respectfully submitted,



---

James W. Sheedy, S.C. Bar No. 5052  
Susan E. Driscoll, S.C. Bar No. 71447  
Driscoll Sheedy, P.A.  
11520 N. Community House Road  
Suite 200  
Charlotte, N.C. 28277  
(704) 341-2101 - Telephone  
(704) 341-2015 - Facsimile  
jimsheedy@driscollsheedy.com  
sdriscoll@driscollsheedy.com

Attorneys for Respondent

# Driscoll SHEEDY

A PROFESSIONAL ASSOCIATION | ATTORNEYS AT LAW

James W. Sheedy  
Lic. in NC & SC  
Direct: 704 341 2102  
Fax: 704 341 2105  
jimsheedy@driscollsheedy.com

Ballantyne: 11520 N. Community House Road  
Suite 200 | Charlotte, NC 28277  
South Carolina Office: 222 E. Main Street  
Suite 204 | Rock Hill, SC 29730  
PO Box 4589 | Rock Hill, SC 29732  
www.driscollsheedy.com

RECEIVED

JUL 22 2013

July 18, 2013

SC Court of Appeals

Honorable Jenny Abbot Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, S.C. 29201

**Re: Charles Sonnenberg, et al. v. D&T Imports South Carolina, Inc. d/b/a Area  
51 Fireworks, et al.  
C.A. No.: 2012-CP-46-02286**

Dear Ms. Kitchings:


Enclosed please find the originals and one copy each of the Initial Brief of Respondent, Designation Of Matter To Be Included In Record On Appeal and Certificate of Service in the above referenced matter. Please file the originals with the records of your office and return clocked copies to me in the enclosed envelope.

By copy of this letter, I am serving copies of the above referenced documents on counsel for Appellants.

With kindest regards, I remain

Respectfully,

DRISCOLL SHEEDY, P.A.

  
James W. Sheedy

cc: Doug Cianfrocca  
W. Keith Martens, Esq.

# Driscoll SHEEDY

A PROFESSIONAL ASSOCIATION | ATTORNEYS AT LAW

James W. Sheedy  
Lic. in NC & SC  
Direct: 704 341 2102  
Fax: 704 341 2105  
jimsheedy@driscollsheedy.com

Ballantyne: 11520 N. Community House Road  
Suite 200 | Charlotte, NC 28277  
South Carolina Office: 222 E. Main Street  
Suite 204 | Rock Hill, SC 29730  
PO Box 4589 | Rock Hill, SC 29732  
www.driscollsheedy.com

RECEIVED

JUL 22 2013

July 18, 2013

SC Court of Appeals

Honorable Jenny Abbot Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, S.C. 29201

**Re: Charles Sonnenberg, et al. v. D&T Imports South Carolina, Inc. d/b/a Area  
51 Fireworks, et al.  
C.A. No.: 2012-CP-46-02286**

Dear Ms. Kitchings:


Enclosed please find the originals and one copy each of the Initial Brief of Respondent, Designation Of Matter To Be Included In Record On Appeal and Certificate of Service in the above referenced matter. Please file the originals with the records of your office and return clocked copies to me in the enclosed envelope.

By copy of this letter, I am serving copies of the above referenced documents on counsel for Appellants.

With kindest regards, I remain

Respectfully,

DRISCOLL SHEEDY, P.A.

  
James W. Sheedy

cc: Doug Cianfrocca  
W. Keith Martens, Esq.