

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Kristi F. Curtis, Circuit Court Judge

Case No. 2022-CP-26-06116

Flatiron Constructors, Inc.,

Appellant,

v.

TranSystems Corporation,

Respondent.

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

Appellant Flatiron Constructors, Inc., proposes the following be included in the Record on Appeal:

1. Amended Complaint, filed May 10, 2018;
2. Affidavit of Kenneth J. O'Connell, P.E., filed August 16, 2018;
3. Joint Motion to Stay Proceedings Pending Agency Review, filed September 7, 2018;
4. Order Staying Proceedings Pending Agency Review, issued December 04, 2018;
5. Joint Motion to Extend Stay of Proceedings Pending Agency Review, filed November 22, 2019;
6. Order Extending Stay of Proceedings Pending Agency Review, issued November 26, 2019;
7. Defendant TranSystems Corporation's Answer to Plaintiff's Amended Complaint, filed November 13, 2020;
8. Defendant's Motion to Stay Proceedings Pending Final Determination of Construction Contract Obligations and Motion for Protective Order, filed November 19, 2020;

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9. Plaintiff's Motion to Compel Defendant's Response to Plaintiff's First Requests for Production, filed January 11, 2021;
10. Brief in Support of Defendant's Motion to Stay Proceedings Pending Final Determination of Construction Contract Obligations and Motion for Protective Order, filed March 5, 2021;
11. Plaintiff's Opposition to Defendant's Motion to Stay and Motion for Protective Order, filed March 5, 2021;
12. Form 4 Order Granting Flatiron's Motion to Compel, issued April 9, 2021;
13. Order Denying Defendant's Motion to Stay and for a Protective Order, issued April 14, 2021;
14. Joint Motion for Order Designating Case as Complex, issued October 4, 2021;
15. Order Denying Continuance of Trial Date, issued October 6, 2021;
16. Joint Motion to Strike from Docket Pursuant to S.C. R. Civ. P. 40(j), filed October 07, 2021;
17. Plaintiff's Motion to Restore Case to Docket Pursuant to S.C. R. Civ. P. 40(j), filed September 22, 2022;
18. Order Restoring Case to Docket Pursuant to SCRCP 40(j), issued September 27, 2022;
19. Defendant's Motion for Summary Judgment, filed April 4, 2022;
20. Brief in Support of Defendant's Motion for Summary Judgment, filed April 4, 2022;
21. Plaintiff's Opposition to Defendant's Motion for Summary Judgment, filed July 28, 2023;
22. Reply Brief in Support of Defendant's Motion for Summary Judgment, filed August 2, 2023;
23. Transcript of Record of Hearing 23:3-26:4 on August 7, 2023;
24. Defendant TranSystem's Motion for Extension, filed on October 4, 2023;
25. Joint Motion to Establish Complex Case Designation and Time for Trial, filed October 18, 2023;
26. Form 4 Order Denying in Part and Granting in Part TranSystems' Motion for Summary Judgment, issued November 22, 2023;
27. Plaintiff's Motion to Reconsider, filed December 1, 2023;

28. Memorandum in Support of Plaintiff's Motion for Reconsideration, filed on December 1, 2023;
29. Defendant TranSystems's Proposed Order on Summary Judgment, filed December 07, 2023;
30. Defendant's Motion to Strike Plaintiff's Motion to Reconsider, filed on December 07, 2023;
31. Plaintiff's Opposition to Defendant's Motion to Strike Plaintiff's Motion to Reconsider, filed on December 12, 2023;
32. Order Granting in Part TranSystems's Motion for Summary Judgment, issued December 27, 2023;
33. Order Denying Flatiron's Motion for Reconsideration, issued December 27, 2023;

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

April 26, 2024

/s/ K. Jay Anthony

K. Jay Anthony, Esq. (S.C. Bar # 77433)

Anthony Law, LLC

650 E. Washington Street

Greenville, SC 29601

janthony@anthonylawsc.com

Mason A. Goldsmith, Jr., Esq. (S.C. Bar # 2182)

Elmore Goldsmith Kelley & Deholl, P.A.

55 Beattie Place, Suite 1050

Greenville, SC 29602

(864) 255-9500

agoldsmith@elmoregoldsmith.com

Carter B. Reid, Esq. (*pro hac vice*)

Hanna Lee Blake, Esq. (*pro hac vice*)

Robert B. Cimmino, Esq. (*pro hac vice*)

Watt, Tieder, Hoffar & Fitzgerald, LLP

1765 Greensboro Station Place, Suite 1000

McLean, VA 22102

(703) 749-1028 (phone)

creid@watttieder.com

Counsel for Appellant