

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

John M. Milling, Special Referee

Case No: 2013-001291

RECEIVED
AUG 20 2013
SC Court of Appeals

Harleysville Group Insurance, a Pennsylvania Corporation,.....Appellant/Respondent

v.

Heritage Communities, Inc., A South Carolina Corporation;
Heritage Riverwalk, A South Carolina Corporation;
Buildstar Corporation, A South Carolina Corporation,
Riverwalk at Arrowhead Country Club Horizontal Property
Regime, Riverwalk at Arrowhead Property Owners
Association, Inc., A South Carolina Corporation, National
Surety Corp., and Tony L. Pope and Lynn Pope Individually
and Representing as a Class All Unit Owners at Riverwalk
at Arrowhead Country Club Horizontal Property Regime,.....Defendants

Of whom Heritage Communities, Inc., a South Carolina Corporation;
Heritage Riverwalk, a South Carolina Corporation; Buildstar
Corporation, a South Carolina Corporation; National Surety Corp.,
And Tony L. Pope and Lynn Pope, individually and representing as a
class all unit owners at Riverwalk at Arrowhead Country Club
Horizontal Property Regime are.....Respondents

And Riverwalk at Arrowhead Country Club Horizontal Property
Regime; Riverwalk at Arrowhead Country Club Property Owners
Association, Inc. are.....Respondents/Appellants.

RESPONDENTS/APPELLANTS DESIGNATION OF MATTER
FOR THE RECORD ON APPEAL

Pursuant to Rule 209, SCACR, Respondents/Appellants Riverwalk at Arrowhead Country Club Horizontal Property Regime and Riverwalk at Arrowhead Country Club Property Owners' Association, Inc. ("Respondents/Appellants") designate the following material for inclusion in the record on appeal. Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that the designation contains no matter which is irrelevant to the appeal:

ORDERS

1. Order appointing John M. Milling as special referee dated October 21, 2010.
2. Order of John M. Milling, special referee dated February 28, 2013.
3. Order of John M. Milling, Special Referee, denying relief requested in Respondents/Appellants and Appellants/Respondents motions to Alter, Amend or Vacate the February 28, 2013 Order.
4. Underlying Order in re post trial motions dated April 10, 2009.

VERDICT FORM

1. Tr. Ex. 25 Verdict Form from the underlying trial dated January 15, 2009.

PLEADINGS

1. Declaratory Judgment Complaint filed by Harleysville October 14, 2009
2. Amended Answer and Counterclaim filed by POA November 6, 2009.
3. Harleysville's Reply to Amended Counterclaim dated November 23, 2008.
4. Ex. 4 underlying Fourth Amended Complaint filed August 3, 2006.

TRANSCRIPTS

1. Trial Transcript dated December 13-14, 2010, pages: 18, 26, 95, 98, 99, 101, 103, 111, 118, 120, 130, 138-139, 166-167, 178-191, 204, 208-209, 216, 219, 233-235, 250-267, 262
2. Trial Transcript dated December 9, 2011.
3. Trial Transcript dated April 19, 2013.
4. Underlying Trial Transcript, pages: 438-439; 879-993; 1726-1727; 1769; 1819-1820
5. Wright Deposition August 3, 2010, pages: 9; 11; 13-33; 44; 48; 80-87.
6. Tormey Deposition October 19, 2010, pages: 6; 7; 9; 10; 17; 22-30; 32.

EXHIBITS/DOCUMENTS

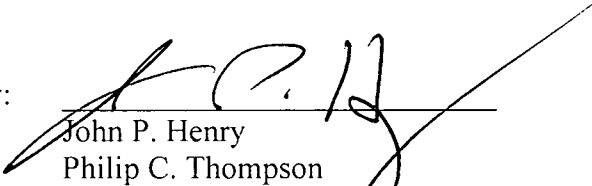
1. Tr. Ex. 15 Reservation-of-Rights letters.
2. Tr. Ex. 14 Discovery responses by Harleysville.
3. Tr. Ex. 17 Chart of Harleysville's policies.
4. Tr. Ex. 19 Harleysville policy common forms.
5. Tr. Ex. 12 Notebook of Harleysville's policies.
6. Harleysville's Amended Answers to Defendant's Requests for Admissions dated October 1, 2010.
7. Harleysville's Amended Answers to Interrogatories dated October 15, 2010.
8. Underlying Tr. Ex. 8.

MOTIONS

1. POA Motion to Alter or Amend filed March 20, 2013.
2. Harleysville's Motion to Alter or Amend or Vacate filed March 21, 2013.

THOMPSON & HENRY, P.A.

By:



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Horizontal Property Regime and Riverwalk
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Owners Association, Inc.*

August 14, 2013

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PROOF OF SERVICE

I, the undersigned legal assistant for John P. Henry of Thompson & Henry, P.A., attorneys for Respondents/Appellants, do hereby certify that I have served all counsel in this action with a copy of the documents(s) hereinbelow specified by mailing a copy of same by United States Mail, postage prepaid, to the following address(es) this 15th day of August, 2013:

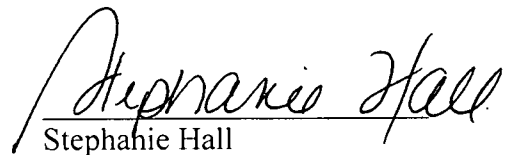
Pleading(s): Initial Brief of Respondents/Appellants; and
Respondents/Appellants Designation of Matter

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