

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: 2013-001281

RECEIVED

AUG 16 2013

SC COURT OF APPEALS

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

v.

Heritage Communities, Inc., A South Carolina Corporation;
Heritage Magnolia North, Inc., A South Carolina Corporation;
Buildstar Corporation, A South Carolina Corporation,
Magnolia North Horizontal Property Regime, Magnolia North
Property Owners Association, Inc., A South Carolina
Corporation, and National Surety Corp.,..... Defendants,

Of whom Heritage Communitites, Inc., a South Carolina
Corporation; Heritage Magnolia North, Inc., a South
Carolina Corporation, Buildstar Corporation, a South Carolina
Corporation and National Surety Corp. are..... Respondents,

And Magnolia North Horizontal Property Regime,
Magnolia North Property Owners Association, Inc.,
a South Carolina Corporation are..... Respondents/Appellants.

RESPONDENTS/APPELLANTS DESIGNATION OF MATTER
FOR THE RECORD ON APPEAL

Pursuant to Rule 209, SCACR, Respondents/Appellants Magnolia North Horizontal
Property Regime, Magnolia North Property Owners Association, Inc., a South Carolina

Corporation (“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 Respondent/Appellants and Appellants/Respondents motions to alter, amend or vacate the February 28, 2013 Order.
4. Post trial Order in underlying case dated November 16, 2009.

VERDICT FORM

1. Tr. Ex. 27 dated May 20, 2009.

PLEADINGS

1. Harleysville’s Complaint filed December 10, 2009.
2. POA’s Answer and Counterclaim filed December 17, 2009.
3. Harleysville’s Reply to Counterclaim dated January 4, 2010.
4. Tr. Ex. 4 Eighth Amended Complaint dated February 24, 2009 in underlying action.

TRANSCRIPTS

1. Trial Transcript dated December 13-14, 2010, pages: p. 182-189; 190-191; 208-209; 217-219; 233-234; 250; 262.

2. Trial Transcript dated December 9, 2011.
3. Trial Transcript dated April 19, 2013.
4. Underlying Trial Transcript pages: 96-101; 144; 137; 236-237; 791-843; 1111-1199; 1819-1820; 1263; 1271; 1295.
5. Ex. 11 Wright Deposition August 3, 2010, pages: 9; 11; 13-33; 44; 48; 80-87.

EXHIBITS/DOCUMENTS

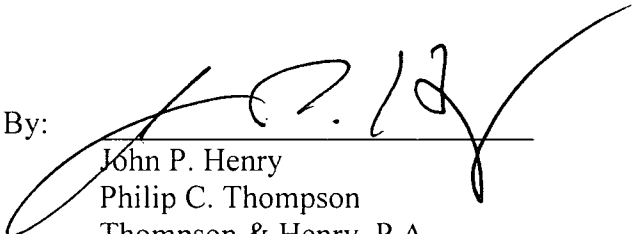
1. Underlying transcript Ex. 4; 6; 15; 36A; 30; 40.
2. Harleysville's Amended Answers to Defendant's Requests for Admissions dated October 1, 2010.
3. Harleysville's Amended Answers to Interrogatories dated October 15, 2010.
4. Tr. Ex. 12 Policies
5. Tr. Ex. 15 Reservation-of-Rights letters
6. Tr. Ex. 19 Four common forms of policies from Lee Wright deposition.
7. Un. Tr. Ex. 665.

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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Corporation*

August 14, 2013

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Magnolia North Property Owners Association, Inc.,
a South Carolina Corporation are..... Respondents/Appellants.

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 document(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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