

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY  
Court of Common Pleas  
The Honorable Joe M. Crosby, Master-In-Equity

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

Case No. 2011-CP-22-0180  
Appellate Case No. 2013-001447

Kennedy Funding, Inc. as predecessor-in-interest, and BNP  
Paribas.....Respondents,

v.

Pawleys Island North, LLC, Will Darwin Wheeler, Peggy Wheeler-Cribb, and J. Mars  
Sapp, Defendants,  
Of whom Pawleys Island North, LLC, Will Darwin Wheeler and Peggy Wheeler-Cribb are  
Respondents and

J. Mars Sapp is the .....Appellant.

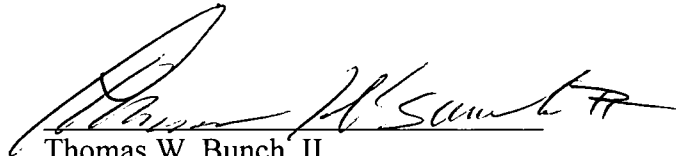
APPELLANT'S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL

Appellant proposes that the following be included in the Record on Appeal:

1. Order and Judgment filed June 7, 2013
2. Order Granting Plaintiff's Motion for Summary Judgment filed March 5, 2012
3. Order of Reference filed March 22, 2012
4. Notice of Appeal filed June 27, 2013
5. Amended Notice of Appeal filed July 10, 2013
6. Complaint, February 9, 2011
7. Answer of J. Mars Sapp, March 17, 2011
8. Amended Complaint, August 30, 2012
9. Answer of Will D. Wheeler to Amended Complaint, September 14, 2012
10. Answer of Defendant Pawleys Island North, LLC to Amended Complaint, September 14, 2012
11. Answer to Amended Complaint and Crossclaim of J. Mars Sapp, September 20, 2012
12. Plaintiff's Reply to Sapp's Cross-claim, October 10, 2012
13. Answer of Wheeler to Sapp's Cross-claim, October 10, 2012

14. Plaintiff's Motion for Summary Judgment as to Defendant J. Mars Sapp October 3, 2011
15. Transcript of Summary Judgment Hearing, January 17, 2012
16. Defendant J. Mars Sapp's Rule 59 Motion to Alter or Amend Judgment filed March 8, 2012
17. Trial Transcript, February 11, 2013
18. Deposition of Kevin Wolfer, January 12, 2012 (the exhibits for this deposition are Plaintiff-Respondent Kennedy's Trial Exhibits 1-6 at item 20 below)
19. Deposition of Kevin Wolfer, September 12, 2012 (the exhibits for this deposition are Plaintiff-Respondent Kennedy's Trial Exhibits 7 and 8 at item 20 below)
20. Trial Exhibits: Plaintiffs' Nos. 1 – 8 from depositions of Kevin Wolfer, and Plaintiffs' Exhibit 9.
21. Trial Exhibits: Defendant Sapp's Nos. 1 - 6

The undersigned counsel certifies that this Designation of Matter complies with Rule 209(c) SCACR, and contains no matter which is irrelevant to the appeal..



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August 22, 2013

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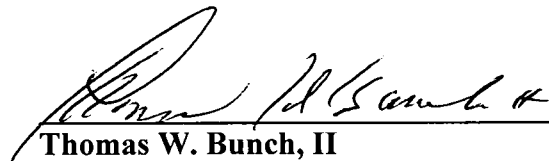
J. Mars Sapp is the .....Appellant.

PROOF OF SERVICE

I certify that I have filed the Appellant's Designation of Matter to Be Included in the  
Record on Appeal and Appellant's Initial Brief and served opposing counsel by depositing a  
copy of it in the United States Mail, postage prepaid, on August 22, 2013 addressed as follows:

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