

**RECEIVED**

**Jul 17 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Charleston County  
Court of Common Pleas

Paul M. Burch, Circuit Court Judge

---

Appellate Case No. 2024-000814

---

Folly East Indian Co., LLC,..... Appellant,

v.

City of Folly Beach.....Respondent,

and

Save Folly’s Future.....Intervenor.

---

**APPELLANT’S DESIGNATION OF MATTER**

---

Alice F. Paylor (SC Bar#: 4380)  
Bijan K. Ghom (SC Bar#: 103531)  
Saxton & Stump, LLC  
151 Meeting Street, Suite 400  
Charleston, SC 29401  
(843) 414-5080  
afp@saxtonstump.com  
bkg@saxtonstump.com

ATTORNEYS FOR APPELLANT

Pursuant to Rule 209, SCACR, Appellant designates the following material to be included in the Record on Appeal. These materials are organized in accordance with Rule 210(c).

## **ORDERS**

Order Granting Save Folly's Future's Motion to Intervene (4/6/23)  
Order Granting Defendant City of Folly Beach's Motion for Summary Judgment (3/7/24)  
Order Denying Plaintiff's Motion to Reconsider Order Denying its Motion for Summary Judgment and Granting Defendant City of Folly Beach's Motion for Summary Judgment (4/17/24)

## **PLEADINGS**

Verified Complaint (1/17/23)  
Plaintiff's Motion for Preliminary Injunction (1/17/23)  
Defendant's Memo in Opposition to Motion for Preliminary Injunction (1/26/23)  
Save Folly's Future Motion to Intervene (1/26/23)  
Defendant's Notice of Motions and Motions to Dismiss and for Judgment on the Pleadings (1/27/23)  
Plaintiff's Memorandum in Support of its Motion for Summary Judgment (2/2/23)  
Plaintiff's Memorandum in Opposition to Motion to Intervene (2/7/23)  
Save Folly's Future's Memorandum in Opposition to Plaintiff's Motion for Injunctive Relief (2/8/23)  
Amended Complaint (2/15/23)  
Plaintiff's Motion and Memorandum in Support of Summary Judgment (3/15/23)  
Defendant's Motion for Summary Judgment and Memorandum in Support (3/31/23)  
Save Folly's Future's Consolidated Memorandum in Support of 12(b)(1) and (6) Motion to Dismiss and in Opposition to Plaintiff's Motion for Summary Judgment (4/19/23)  
Defendant Folly Beach's Supplemental Memorandum in Support of Summary Judgment (1/5/24)  
Plaintiff's Consolidated Memorandum in Opposition to Defendant City's and Intervenor Save Folly's Motions and Memoranda (1/8/24)  
Defendant Folly Beach's Reply Memorandum in Opposition to Plaintiff's Motion for Summary Judgment (1/11/24)  
Plaintiff's Motion to Reconsider Order Denying its Motion for Summary Judgment and Granting Defendant City of Folly Beach's Motion for Summary Judgment (3/18/24)  
Defendant Folly Beach's Memorandum in Opposition to Plaintiff's Motion to Reconsider (3/29/24)  
Notice of Appeal (5/16/24)

*\*All exhibits of the foregoing to be included*

## **TRANSCRIPTS**

Transcript of Hearing Before the Honorable Paul M. Burch (1/12/24)

**CERTIFICATE OF COUNSEL**

Pursuant to Rule 209, SCACR, I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

/s/ Bijan K. Ghom

Alice F. Paylor

Bijan K. Ghom

Saxton & Stump, LLC

151 Meeting Street, Suite 400

Charleston, SC 29401

(843) 414-5080

afp@saxtonstump.com

bkg@saxtonstump.com

ATTORNEYS FOR APPELLANT

July 17, 2024