

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Ralph P. Stroman, Special Referee

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Case No.: 2009-CP-26-3596  
Consolidated With  
Case No.: 2010-CP-26-11320  
Appellate No.: 2013-000714

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**RECEIVED**  
AUG 13 2013  
SC Court of Appeals

Ronald Jarmuth, ..... *Pro Se* Appellant,

v.

The International Club Homeowners  
Association, Inc., Rosemary Toth, and  
K.A. Diehl & Associates, Inc., ..... Respondents.

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RESPONDENTS' REPLY TO APPELLANT'S RETURN TO  
MOTION TO AMEND THE RECORD

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The Respondents, The International Club Homeowners Association, Inc.,  
Rosemary Toth, and K.A. Diehl & Associates, Inc. ("Respondents"), hereby submit this  
Reply to Appellant's Return to the Motion Amend the Record.

First, to the extent that the Appellant argues that the Respondents' Motions to  
Amend the Record and for an Extension of Time were improper, that assertion is clearly  
without merit. The Respondents filed the aforementioned Motions to address the errors  
contained in the Record and to supplement the Record with pages designated by the

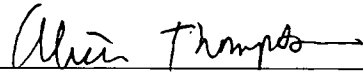
Respondents. Without the missing pages, Respondents are unable to cite to the Record and to submit their Final Brief.

Secondly, Appellant's Exhibit 556 attached to the Respondents' Motion to Amend the Record is an unaltered copy of the exhibit provided to the Respondents at trial. This document reflects the typed number "556" added by the Appellant in lieu of an exhibit sticker in the top right hand corner of the first page. All of the Appellant's trial exhibits include these typed numbers, unlike the altered version of the Exhibit in the Record, which has a handwritten number. Because the version of Exhibit 556 attached to Respondents' Motion, without Appellant's notations, is the correct trial exhibit, the Record should be supplemented with this version.

Lastly, the altered copies of Respondents' Exhibit and Witness Lists, Record pp. 859 through 864, 3065 through 3070, and 3089 through 3099 were not provided to the Special Referee at trial as asserted by the Appellant in his Return. Appellant argues that Record pp. 3089 through 3099 reflect that the altered Lists were before the lower court. The aforementioned pages of the trial transcript do not reflect that the altered Respondents' Exhibit and Witness Lists were handed up to the Special Referee, but instead, refer to a different document in the Record, pp. 3071 through 3077. The trial transcript is devoid of any reference to the altered Exhibit and Witness Lists.

For the reasons set forth in Respondents' Motion to Amend the Record and as herein stated, the Respondents' respectfully request that the their Motion to Amend the Record be granted.

Respectfully submitted,



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McNAIR LAW FIRM, P.A.

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Myrtle Beach, SC 29578

(843) 444-1107

Attorneys for Respondents

The International Club Homeowners  
Association, Inc., Rosemary Toth, and K.A.  
Diehl & Associates, Inc.

Myrtle Beach, South Carolina

Date: August 12, 2013

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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Case No.: 2009-CP-26-3596  
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Ronald Jarmuth, ..... *Pro Se Appellant,*

v.

The International Club Homeowners  
Association, Inc., Rosemary Toth, and  
K.A. Diehl & Associates, Inc., ..... Respondents.

PROOF OF SERVICE

I, Carole Koerner, an employee of McNair Law Firm, P.A., certify that I have served the Respondents' Reply to Appellant's Return to the Motion to Amend the Record and Proof of Service on all parties to this matter by depositing a copy in the United States Mail, first class postage prepaid on the 12<sup>th</sup> day of August, 2013.

*Pro Se Appellant of Record:*

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Murrells Inlet, SC 29576  
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Carole Koerner

Myrtle Beach, South Carolina

**MCNAIR**  
ATTORNEYS

Alicia Thompson

August 12, 2013

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**VIA FIRST CLASS MAIL**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, SC 29201

RE: *Ronald Jarmuth v. International Club HOA, Inc. et al.*  
Case Track #: 2013-000714  
Civil Action Nos.: 2009-CP-26-3596 and 2010-CP-26-11320  
Our File No.: 051490.00001

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AUG 13 2013  
SC Court of Appeals

Dear Ms. Kitchings:

With regard to the above matter, enclosed for filing with the Court, please find the following:


- Original (unbound) and seven copies of the Respondents' Reply to Appellant's Return to Motion to Amend the Record; and
- Proof of Service.

By copy of this letter to parties of record, and as shown on the Proof of Service, I hereby serve copies of the aforementioned documents to the parties of record.

Please return to me one clocked copy of the enclosed documents in the enclosed self-addressed envelope.

Sincerely,

**McNair Law Firm, P.A.**

  
Alicia Thompson

AT/dmb  
Enclosures

cc: Ronald Jarmuth  
Clients

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