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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

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Case No. 2024-000438

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Faye P. Croft, Personally and as Trustee of the James A. Croft Trust; James A. Croft Trust; William A. Harbeson; Heyward G. Hutson; James Stephen Greene, Brian Peacher; Robert Klinger; Mary Becker; Summerville Preservation Society; and Dorchester County Taxpayers Association, individually, and on behalf of all others similarly situated, Appellants,

v.

Town of Summerville; Town of Summerville Redevelopment Corporation; Town of Summerville Planning Commission; and Town of Summerville Board of Architectural Review, Respondents.

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RESPONDENTS' DESIGNATION OF MATTERS TO BE INCLUDED IN RECORD ON  
APPEAL

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1. Original Complaint
2. Defendants' Motion to Change Venue
3. Consent Order Changing Venue
4. Summerville Defendants' Answer to Complaint (Jan 29, 2015)
5. Amended Complaint (Feb. 24, 2015)
6. Summerville Defendants Answer to Amended Complaint (March 10, 2015)
7. Plaintiffs' Second Amended Complaint (June 15, 2018)
8. Defendants' Answer to Plaintiff's Second Amended Complaint (July 13, 2018)

9. Plaintiffs' Motion for Partial Summary Judgment (April 13, 2015)
10. Plaintiffs' Motion for Partial Summary Judgment and Memo of Law (Oct. 21, 2015)
11. Plaintiffs' Motion for Partial Summary (Judgment Dec. 1, 2015)
12. Order of Hon. E. Dickson Dated December 12, 2016, and filed January 18, 2017
13. Plaintiffs Motion for Reconsideration of December/January Order
14. Order of Hon. E. Dickson April 4, 2017, denying motion to reconsider
15. Stipulation of Dismissal as to Some Defendants filed July 3, 2019
16. Order Dismissing Case Pursuant to Rule 40 (j)
17. Consent Order Restoring Case
18. Plaintiffs' Motion for Partial Summary Judgment November 15, 2022
19. Plaintiffs' First Amended Motion for Partial Summary Judgment January 26, 2023
20. Plaintiffs' Second Amended Motion for Partial Summary Judgment May 8, 2023
21. Defendants motion to dismiss as moot with supporting materials attached filed August 3, 2023
22. Affidavit of Lisa Wallace Dated August 2, 2023 including all attachments:
  - a. Signed Release in Applegate v. Town matter
  - b. Stipulation of Dismissal in Applegate v. Town
  - c. Ordinance Dissolving Summerville Redevelopment Corporation
  - d. Prior Amended Affidavit of Lisa Wallace identified as Exhibit D, undated, originally filed in 2016-CP-18-1128, together with its own exhibits A-G
  - e. 2020 Ordinance Adopting New Comprehensive Plan
23. Defendants 'Memorandum In Support of Their Motion to Dismiss and in Opposition to Plaintiffs' Motion for Summary Judgment dated August 22, 2024

24. Email of Andrew Gowder to Judge McCoy of 8/23/2023 withdrawing Plaintiff's motion for summary judgment.
25. Order granting Defendants' Motion to Dismiss as Moot (Form 4 Order)
26. Order Granting Defendants' Motion to Dismiss as Moot (February 23, 2024)
27. Public Private Partnership Agreement of July 9, 2014 including First Amendment August 12, 2015.
28. Consent Order to Restore and Stay 2017-CP-18-279 filed February 22, 2019

s/Timothy A. Domin

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