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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY
In the Court of Common Pleas for the First Judicial Circuit

The Honorable James E. Chellis, Master in Equity

Case No. 2019-CP-18-02217

Virgie C. Simmons Family, LLC.....Appellant

vs.

Limetrade, LLC and Limehouse Produce, LLC Respondents

**APPELLANT’S DESIGNATION OF MATTER FOR
INCLUSION IN THE RECORD ON APPEAL**

K. Michael Barfield (S.C. Bar No. 69400)
John W. Fletcher (S.C. Bar No. 69550)
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*Attorneys for Appellant Virgie C. Simmons
Family, LLC*

Pursuant to Rule 209 of the South Carolina Appellate Court Rules, Appellant Virgie C. Simmons Family, LLC ("Appellant") hereby designates the following materials to be included in the Record on Appeal in this matter in connection with its Initial Brief of Appellant. Each item designated **is to include all attachments or exhibits** to the original of the referenced item.

Appellant intends to designate each and every item from the record that it cites in its Initial Brief of Appellant in this matter. Appellant expressly reserves the right to seek supplementation of the record pursuant to Rules 209 and 212, SCACR.

Appellant designates the following matters for inclusion in the Record on Appeal (including any and all exhibits or attachments thereto):

1. Plaintiff's December 3, 2019 Complaint & Summons
2. Plaintiff's March 10, 2022 Notice of Withdrawal of Its Demand for Jury Trial
3. March 11, 2022 Consent Order of Reference to Master
4. April 5, 2024 Final Order
5. Plaintiff's April 10, 2024 Motion to Alter, Amend, or Reconsider
6. April 22, 2024 Form 4 Order
7. Plaintiff's May 21, 2024 Notice of Appeal (with attachments)
8. Trial Transcript Volume I (Pages 15, 17-19, 21-27, 32-33, 37-40, 45-50, 52-56, 60-6-66, 71, 118, 125-26)
9. Trial Transcript Volume II (Pages 11-13, 92)
10. Plaintiff's Trial Exhibit 1 (April 22, 2004 Business Lease)
11. Plaintiff's Trial Exhibit 2 (May 24, 2007 Assignment)
12. Plaintiff's Trial Exhibit 5 (2011 Option to Renew Lease)
13. Plaintiff's Trial Exhibit 6 (March 22, 2014 Lease Extension and Renewal)
14. Plaintiff's Trial Exhibit 9 (Email Chain)
15. Plaintiff's Trial Exhibit 17 (Photographs)

16. Plaintiff's Trial Exhibit 18 (Simco, Inc. of Charleston January 10, 2020 Proposal)

Appellant certifies, pursuant to S.C.A.C.R., Rule 209(c), that the designations set forth above are relevant to the appeal in this matter, and that it has not designated any matter that is irrelevant to the issues before the Court.

BARNWELL WHALEY PATTERSON &
HELMS, LLC

By: 

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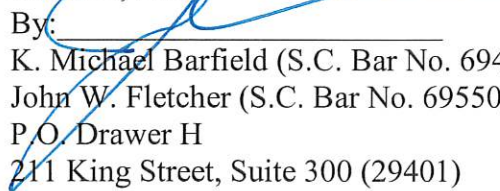
PROOF OF SERVICE OF INITIAL BRIEF OF APPELLANT

I certify that I have served the Appellant’s Designation of Matter for Inclusion in the Record on Appeal on the above-referenced Respondents by email in accordance with the South Carolina Supreme Court's Order re: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended May 6, 2022) on October 9, 2024, addressed to their attorneys of record:

G. Hamlin O’Kelley, III
Buist, Byars & Taylor, LLC
652 Coleman Blvd., Suite 200
Mt. Pleasant, SC 29464

Attorneys for Respondents Limetrade, LLC and Limehouse Produce, LLC

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