

In the Court of Appeals

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SC Court of Appeals

APPEAL FROM EDGEFIELD COUNTY
Court of Common Pleas

Hon. R. Lawton McIntosh, Circuit Court Judge

Appellate Case No.: 2024-001510
Circuit Court Case No.: 2021-CP-19-00050

Elizabeth M. Ferraro, James T. Ferraro, Edward J. Przybyl,
Marcella Gleie, John E. Gleie, Jr., Thomas Bowes, Connie Bowes,
Moataz Alasadi, Virginia Kirkwood, Bob Kirkwood, Paul Vichroski,
Nydza Vichroski, James Montellese, Roxann Montellese,
Individually, Derivatively, and on Behalf of all the Mount Vintage
Homeowners Association Members.....Respondents,

v.

LL of SC, LLC, Raiford Topsail Island Investments, LLC, TR Sales
Plantation, LLC, and Mount Vintage Plantation Homeowners
Association, Inc. a/k/a Mount Vintage Homeowners Association, Inc..... Defendants,

Of which LL of SC, LLC, Raiford Topsail Island
Investments, LLC, and TR Sales Plantation, LLC, are theAppellants.

RESPONDENTS' DESIGNATION OF MATTER FOR THE RECORD ON APPEAL

Pursuant to the South Carolina Appellate Court Rules, Respondents designate the following material for inclusion in the record on appeal. Per Rule 209(c), SCACR, the undersigned counsel certifies that the designation contains no matter which is irrelevant to the appeal.

I. Orders and Judgments

1. September 4, 2024: Trial Court Order Granting Respondents' Motion for Partial Summary Judgment
2. September 6, 2024: Trial Court Order Clarifying 9/4/24 Order Interlocutory and matter not stayed
3. September 10, 2024: Court of Appeals Order Denying Petition and Dismissing Appellate Case No. 2024-001451
4. September 10, 2024: Revised Trial Court Order on Respondents' Motion for Partial Summary Judgment
5. September 13, 2024: Court of Appeals Order Granting Temporary Stay of Underlying Proceedings
6. October 9, 2024: Court of Appeals Order Granting Motion to Stay Underlying Proceedings Pending Appeal

II. Pleadings

7. June 5, 2020: Initial Complaint
8. September 4, 2024: Operative (Third Amended) Complaint
9. September 4, 2024: Appellants' First Notice of Appeal (Case No. 2024-001451)
10. September 10, 2024: Appellants' Second Notice of Appeal on Respondents' Motion for Partial Summary Judgment (Case No. 2024-001510)

III. Transcripts

11. July 25, 2024: Hearing Transcript on Various Motions
12. August 28, 2024: Hearing Transcript on Summary Judgment Motions
13. September 11, 2024: Hearing Transcript on Pre-Trial Motions

IV. Motions and Memoranda

14. August 13, 2024: Respondents' Motion for Partial Summary Judgment and Accompanying Exhibits A through G.
15. August 26, 2024: Appellant's Memorandum in Opposition to Respondents' Motion for Partial Summary Judgment and Accompanying Attachments 1-5.
16. August 27, 2024: Respondents' Memorandum in Opposition to Appellants' Motions for Summary Judgment
17. August 27, 2024: Respondents' Notice of Filing of Exhibits in Support of August 27, 2024, Memorandum in Opposition to Appellants' Motions for Summary Judgment and accompanying Exhibits A through R.
18. September 6, 2024: Appellants' Petition to Stay Underlying Proceedings and/or for Writ of Supersedeas and accompanying Attachments.

19. September 11, 2024: Appellants' Renewed Petition to Stay and/or for Writ of Supersedeas and Accompanying Attachments.
20. September 23, 2024: Respondents' Return in Opposition to Appellants' Petition and Accompanying Exhibits A through O.
21. October 3, 2024: Appellants' "Return" to Respondents' Return

V. Other Materials or Documents

22. January 10, 2013: Lis Pendens filed in *Bettis Rainsford vs. K&H Development Company, LLC, et. al*, Case No. 12-CP-19-388, Edgefield County, South Carolina
23. July 19, 2013: Consent Order and Judgment of Foreclosure and Sale filed in *LL of SC, LLC v. K&H Development Company, LLC, and Mount Vintage Plantation Homeowners Association, Inc.*, Case No. 12-CP-19-336, Edgefield County, South Carolina
24. Pl. Ex. 2.2 – November 27, 2013, Letter from Guynn Encl. RTI's "Seller's Documents"
25. Pl. Ex. 13.02, RTI's 2015 Multi-Lot Discount Application.
26. January 21, 2021: Affidavit of J. Wayne Raiford
27. January 19, 2023: Excerpt of Deposition of Charles Fliflet at 46:19-47:3, 83:21-25
28. August 30, 2024: Email Inquiry from Judge McIntosh
 - September 3, 2024: Appellants' Email Response to Judge's Inquiry
 - September 3, 2024: Respondents' Additional Briefing in Response to Judge's Inquiry
29. September 5, 2024: Email from Judge McIntosh
 - September 5, 2024: Respondents' reply to Judge's Email

JUSTIN O'TOOLE LUCEY, P.A.

s/ Anna S. McCann

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February 14, 2025

Mount Pleasant, South Carolina