

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas
The Honorable Joe M. Crosby, Master-In-Equity**

**Case No. 2011-CP-22-0180
Appellate Case No. 2013-001447**

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OCT 24 2013

SC Court of Appeals

**Kennedy Funding, Inc. as predecessor-in-interest, and BNP
Paribas**

Respondents,

v.

**Pawleys Island North, LLC, Will Darwin Wheeler, Peggy Wheeler-Cribb, and J. Mars
Sapp, Defendants,
Of whom Pawleys Island North, LLC, Will Darwin Wheeler and Peggy Wheeler-Cribb are
Respondents and**

J. Mars Sapp is the

Appellant.


**DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL BY
RESPONDENTS PAWLEYS ISLAND NORTH, LLC,
WILL DARWIN WHEELER AND PEGGY WHEELER-CRIBB**

Respondents Pawleys Island North, LLC, Will Darwin Wheeler and Peggy Wheeler-Cribb propose that the following be included in the Record on Appeal:

1. Order and Judgment filed June 7, 2013
2. Order Granting Plaintiff's Motion for Summary Judgment filed March 5, 2012
3. Order or Reference filed March 22, 2012
4. Notice of Appeal filed June 27, 2013
5. Amended Notice of Appeal filed July 10, 2013
6. Complaint filed February 9, 2011
7. Answer of J. Mars Sapp filed March 17, 2011
8. Amended Complaint filed August 30, 2012
9. Answer of Will Darwin Wheeler and Peggy Wheeler-Cribb to Amended Complaint filed September 14, 2012
10. Answer of Pawleys Island North, LLC to Amended Complaint filed September 14, 2012
11. Answer to Amended Complaint and Cross-Claim, of J. Mars Sapp filed September 20, 2012
12. Plaintiff's Reply to Sapp's Cross-Claim filed October 10, 2012

13. Answer of Pawleys Island North, LLC, Will Darwin Wheeler and Peggy Wheeler-Cribb to Sapp's Cross-Claim filed October 10, 2012
14. Plaintiff's Motion for Summary Judgment as to Defendant J. Mars Sapp filed October 3, 2011
15. Transcript of Summary Judgment Hearing dated January 17, 2012
16. Defendant J. Mars Sapp's Rule 59 Motion to Alter or Amend Judgment filed March 8, 2012
17. Trial Transcript dated February 11, 2013
18. Deposition of Kevin Wolfer dated January 12, 2012 (the exhibits for this deposition are Plaintiff-Respondent Kennedy's Trial Exhibits 1-6 at item 20 below)
19. Deposition of Kevin Wolfer dated September 12, 2012 (the exhibits for this deposition are Plaintiff-Respondent Kennedy's Trial Exhibits 7 and 8 at item 20 below)
20. Trial Exhibits: Plaintiff's Nos. 1-8 from depositions of Kevin Wolfer, and Plaintiffs' Exhibit 9
21. Trial Exhibits: Defendant Sapps's Nos. 1-6

The undersigned counsel certifies that this Designation of Matter complies with Rule 209(c) SCACR, and contains no matter which is irrelevant to the appeal.



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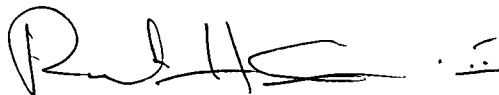
I hereby certify that I have served the Designation of Matter and Initial Brief of the
Respondents Pawleys Island North, LLC, Will Darwin Wheeler and Peggy Wheeler-Cribb by de-
positing a copy of it in the United States Mail, postage prepaid, on October 23, 2013, on the
following Attorney for the Appellant and Respondent:

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