

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM OCONEE COUNTY  
Court of Common Pleas

The Honorable R. Lawton McIntosh, Circuit Court Judge  
The Honorable Alexander S. Macaulay, Circuit Court Judge and Trial Judge

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Case No.: 2005-CP-37-00788  
Appellate Case No.: 2011-202946

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Tri-County Development, et. al.  
Jeff Gray and Melinda Holbrooks ..... Respondents,

v.

Christopher A. Pierce ..... Appellant.

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**RESPONDENTS' AMENDED DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

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In addition to those documents listed in Appellant's Designation of Matter, Respondents hereby amend their Designation of Matter and propose the following be included in the Record on Appeal:

- 1) Mechanic's Lien of Respondent, filed September 26, 2005;
- 2) Complaint of Respondent, filed September 26, 2005;
- 3) Third-Party Complaint, filed November 29, 2005;
- 4) Order of the Honorable Alexander S. Macaulay, entering default against Jeff Gray, filed September 26, 2006;
- 5) Order of the Honorable J. Cordell Maddox, Jr., denying Jeff Gray's Motion to Set Aside Entry of Default, filed August 4, 2008;

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**SC Court of Appeals**

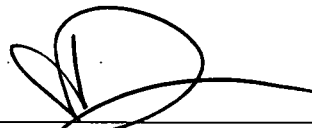
- 6) Order of the Honorable Macaulay, vacating Entry of Default Judgment, filed May 5, 2009;
- 7) Amended Order of the Honorable Macaulay, vacating Entry of Default Judgment, filed May 29, 2009;
- 8) Order of the S.C. Court of Appeals, dismissing appeal, dated July 8, 2009;
- 9) Order Denying Pierce's Request to Quash Subpoena, Granting Plaintiffs' Request to Quash Subpoena and Denying Pierce's Rule to Show Cause, filed October 14, 2009;
- 10) Order Denying Pierce's Motion to Alter or Amend, filed November 6, 2009;
- 11) Order Granting Plaintiffs' Motion for Summary Judgment as to Liability, Denying Pierce's Motion for Relief from Judgment, Motion for Summary Judgment, and Motion to Dissolve Mechanic's Lien, filed August 31, 2011;
- 12) Order Denying Request for Continuance, filed November 17, 2011;
- 13) Form 4 Order Entering Judgment on Verdict, filed November 30, 2011;
- 14) Form 4 Order Denying Defendant's Motion to Reconsider Granting of Summary Judgment, filed December 6, 2011;
- 15) Excerpts from Trial Transcript dated November 28-29, 2011, pgs. 50-52, 69, 127-128, 132, 135-139, 157, 168, 169, 172;
- 16) Plaintiffs' Trial Exhibits 1, 2, 8, 9, and 10 from trial held on November 28-29, 2011;
- 17) Hearing Transcript dated April 6, 2009;
- 18) Hearing Transcript dated September 8, 2009;
- 19) Excerpts from Hearing Transcript dated November 1, 2010, pgs. 6, 7, 30;
- 20) Relevant excerpts of the transcripts of depositions of Melinda Holbrooks, Jeff Gray (both depositions);
- 21) Respondents' Memorandum in Support of Summary Judgment, with Exhibits, dated October 28, 2010;

22) Letter of the Honorable R. Lawton McIntosh to parties, dated December 21, 2010; and

23) Affidavit of Jeff Gray in support of his Motion to Set Aside the entry of default

Pursuant to Rule 209(c), SCACR, I certify that this amended designation contains no matter which is irrelevant to this appeal.

October 22, 2013



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Thomas E. Dudley, III (SC Bar # 66154)  
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704 East McBee Avenue  
Greenville, SC 29601  
(864) 242-4899

Attorney for Respondents

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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**PROOF OF SERVICE**

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The undersigned hereby certifies that a true copy of the Respondents' Amended Designation of Matter in the above-referenced case has been served on all parties of record by mailing a copy of same in the United States mail, postage prepaid this 22 day of October, 2013, addressed as follows:

T. Jeff Goodwyn, Jr.  
Goodwyn Law Firm, LLC  
2519 Devine Street, Suite A  
Columbia, SC 29205  
Attorney for Appellant



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**SC Court of Appeals**

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(1964-2013)

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October 22, 2013

Hon. Jenny Abbott Kitchings  
Clerk of Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: Tri-County Development, et al. v. Christopher A. Pierce  
Appeal from Oconee County  
Case No.: 2005-CP-37-00788  
Appellate Case No.: 2011-202946


To Whom It May Concern:

Please find enclosed the original and one copy of Respondents' Amended Designation of Matter with Proof of Service in the above referenced matter. By copy of this letter, we are serving same upon counsel for Appellant.

Thank you for your assistance in this matter and please do not hesitate to contact our office if you have any questions.

Very truly yours,

KENISON, DUDLEY & CRAWFORD, LLC

  
Helen Cotrone  
Legal Assistant

Enclosures

cc: T. Jeff Goodwyn, Jr.  
Jeff Gray

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SC Court of Appeals

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