

**RECEIVED**

**Sep 29 2025**

**SC Court of Appeals**

**STATE OF SOUTH CAROLINA  
IN THE  
COURT OF APPEALS**

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Appeal from the Court of Common Pleas  
For Beaufort County  
Honorable Carmen T. Mullen, Circuit Judge  
Civil Action No.: 2025-CP-07-00051  
***Appellate Case No. 2025-000792***

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BEAR ISLAND DISTRIBUTORS, LLC,

Appellant,

v.

LINCOLN & SOUTH BREWING CO., LLC,

Respondent.

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**RESPONDENT'S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

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*Attorneys for the Respondent,  
Lincoln & South Brewing Co., LLC*

**TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:**

COMES NOW the Respondent, Lincoln & South Brewing Co., LLC (“Lincoln & South”), pursuant to Rule 209 of the South Carolina Appellate Court Rules, and hereby designates the parts of the transcripts, orders, pleadings, affidavits, exhibits, and/or other materials which Lincoln & South proposes to include in the Record on Appeal.

**ORDERS**

1. Order Denying Plaintiff’s Motion to Alter or Amend Order Denying Motion for Temporary Injunction issued by the Honorable Carmen T. Mullen, Circuit Court Judge, dated 26 March 2025, and filed 26 March 2025;
2. Order issued by the Honorable Carmen T. Mullen, Circuit Court Judge, dated 2 March 2025, and filed 3 March 2025 (*denying Motion for Temporary Injunction*);

**PLEADINGS**

1. Summons and Verified Complaint dated 9 January 2025, and filed 9 January 2025;  
  
Exhibit 1: Distribution Agreement between Bear Island Distributors, LLC and Lincoln & South Brewing Co., LLC dated 16 June 2012;  
  
Exhibit 2: 21 February 2024 E-Mail Correspondence;  
  
Exhibit 3: 19 March 2024 E-Mail Correspondence;  
  
Exhibit 4: 16 May E-Mail Correspondence;  
  
Exhibit 5: 26 June 2024 E-Mail Correspondence;  
  
Exhibit 6: 8 July 2024 E-Mail Correspondence;  
  
Exhibit 7: 19 August 2024 E-Mail Correspondence;  
  
Exhibit 8: 20 August 2024 E-Mail Correspondence;  
  
Exhibit 9: 24 September 2024 E-Mail Correspondence;

- Exhibit 10: 10 October 2024 E-Mail Correspondence;
- Exhibit 11: 15 October 2024 E-Mail Correspondence;
- Exhibit 12: 23 October 2024 Text Message;
- Exhibit 13: Notice of Termination Letter dated 14 November 2024;
2. Emergency Motion for Temporary Restraining Order dated 9 January 2025, and filed 9 January 2025;
3. Motion for Temporary Injunction and Memorandum of Law in Support dated 10 February 2025, and filed 10 February 2025;
- Exhibit 1: 14 October 2024 E-Mail;
- Exhibit 2: Text Messages to John Rybicki
- Exhibit 3: Agreement to Stay the Termination of the Distribution Agreement dated 10 January 2025;
- Exhibit 4: 29 January 2025 Letter from John F. Connell, Jr., Esquire to R. Nicholas Felix, Esquire;
- Exhibit A: 14 October 2024 Purchase Order;
- Exhibit B: Text Messages with John Rybicki;
- Exhibit 5: *Facebook* Post;
- Exhibit 6: Affidavit of William Cram sworn to on 10 February 2025;
4. Defendant's Answer to Complaint and Counterclaims dated 11 February 2025, and filed 11 February 2025 (verified);
5. Defendant's Return to Plaintiff's Motion for Temporary Injunction and Memo in Support. dated 11 February 2025, and filed 11 February 2025;
6. Affidavit of Thomas Gadhue sworn to on 11 February 2025 and filed on 11 February 2025;
- Exhibit A: Distribution Agreement between Bear Island Distributors, LLC and Lincoln & South Brewing Co., LLC dated 16 June 2012;
- Exhibit B: 2023 Refrigerated Storage Building Photograph;

Exhibit C: 2024 Scheduling Issues;  
Exhibit D: 2024 Product Quality Issues;  
Exhibit E: 5 July 2024 Meeting Text Messages;  
Exhibit F: 2024 Bear Island Facility Photos;  
Exhibit G: 2024 Failure to Accommodate Increased Production;  
Exhibit H: Termination Agreement Correspondence;  
Exhibit I: Written Notice of Termination dated 8 November 2024;  
Exhibit J: Out-of-Date Product Photos;  
Exhibit K: 2025 *Facebook* Posts;

7. *Affidavit of John Rybicki* sworn to on 11 February 2025 and filed on 11 February 2025;

Exhibit A: 2024 Product Quality Issues;

Exhibit B: 2024 Bear Island Facility Photos;

Exhibit C: 2025 Out-of-Date Product Photos and *Facebook* Posts;

8. *Reply to Defendant's Verified Answer and Counterclaims* dated 13 March 2025, and filed 13 March 2025;

9. *Bear Island Distributers, LLC's Motion to Alter or Amend Order Denying Motion for Temporary Injunction* dated 13 March 2025, and filed 13 March 2025;

10. *Defendant's Return to Plaintiff's Motion to Alter or Amend Order Denying Motion for Temporary Injunction*, dated 21 March 2025, and filed 21 March 2025;

11. *Plaintiff's Reply to Defendant's Return to Plaintiff's Motion to Alter or Amend Order Denying Motion for Temporary Injunction*, dated 24 March 2025, and filed 24 March 2025;

Exhibit A: 27 February 2025 E-Mail Correspondence

## **TRIAL OR HEARING TRANSCRIPTS**

1. Transcript of Record for Hearing held on 25 February 2025, before the Honorable Carmen T. Mullen, Circuit Court Judge:

Pages - 1 through 51;

## **EXHIBITS**

1. All as previously set forth in the various paragraphs and subparagraphs of the **PLEADINGS** section

***(Duplication and/or repetition of exhibits should be avoided as much as reasonably possible unless the context requires such replication)***

I, Stephen P. Groves, Sr., Esquire, hereby certify pursuant to Rule 209(c), SCACR, the *Designation of Matter to be Included in the Record on Appeal* submitted by the Respondent, Lincoln & South Brewing Co., LLC, does not contain any matter and/or items which are not relevant to this appeal.

Respectfully submitted:

Signed: **Stephen P. Groves., Sr.**

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29 September 2025

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