

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Thomas W. McGee, III, Circuit Court Judge
Civil Action No. 2021-CP-10-01215

Appellate Case No. 2024-001813

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SC Court of Appeals

Mansfield at Park West, Inc. Respondent,

v.

D.R. Horton, Inc. Appellant.

RESPONDENT’S MOTION TO AMEND THE DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Respondent Mansfield at Part West, Inc., by and through undersigned counsel, respectfully moves pursuant to Rule 210 of the South Carolina Appellate Court Rules, to amend the Respondent’s Designation of Matter to be included in the Record on Appeal.

Respondent timely filed its Designation of Matter to be included in the Record on Appeal. One filing identified in Respondent’s initial Designation of Matter (no. 6), incorrectly identified the filer of the subject Memorandum. An amendment is made to that item to correct that mistake. The other amendment to the original Designation of Matter is to remove items 1 and 2, references to the transcripts of the underlying proceedings. The matter cited within those transcripts is an exhibit to a filing already designated in Appellant’s Designation of Matter.

The undersigned has coordinated this amendment with counsel for Appellant, for the purposes of finalizing the record on review and ensuring that the appellate court has a full and complete record for review.

Respondent's amended Designation of Matter designates the following to be included in the Record on Appeal, in addition to the materials designated by Appellant:

ORDERS AND JUDGMENTS

1. Order Denying D.R. Horton's Motion to Clarify entered September 26, 2023.
2. Judgment entered September 5, 2024.

MOTIONS AND MEMORANDA

3. Memorandum in Opposition to Plaintiff's Motion to Compel Arbitration and in Support of D.R. Horton, Inc.'s Motion to Dismiss dated July 15, 2021.
4. Plaintiff's Memorandum in Opposition to D.R. Horton's Motion to Dismiss dated July 9, 2021.
5. D.R. Horton's Motion for Clarification dated September 11, 2023.
6. D.R. Horton's Motion to Vacate Arbitral Award dated November 20, 2023, with all exhibits.
- 8=7. Plaintiff's Memorandum in Opposition to Defendant's Motion to Vacate filed by Plaintiff Mansfield at Park West, Inc., dated July 3, 2024, and exhibits.

Good cause exists for allowing the amendment. I certify that this Designation contains no matter which is irrelevant to this appeal.

WHEREFORE, Respondent respectfully requests this Court to grant leave to amend Respondent's Designation of Matter to be included in the Record on Appeal and direct the Clerk of Court to include the additional materials identified above.

Jennifer S. Ivey

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Attorneys for Respondent Mansfield at Park West, Inc.

October 3, 2025
Charleston, South Carolina

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Mansfield at Park West, Inc. Respondent,

v.

D.R. Horton, Inc. Appellant.

PROOF OF SERVICE

The undersigned hereby certifies that on **October 3, 2025**, a copy of **Respondent's Motion to Amend The Designation of Matter to Be Included in the Record on Appeal** was served on counsel of record, by Electronic Mail, as follows:

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Attorneys for D.R. Horton, Inc.

WALKER GRESSETTE & LINTON, LLC

A handwritten signature in blue ink, appearing to read 'M. Minniti', with a stylized flourish at the end.

M. Eugenia Minniti,
Paralegal

October 3, 2025
Charleston, South Carolina



G. Trenholm Walker
Thomas P. Gressette, Jr.
John P. Linton, Jr.
Charles P. Summerall, IV
Jennifer Ivey
James W. Clement

M. EUGENIA MINNITI
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October 3, 2025

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

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Re: Mansfield at Park West, Inc. v. D.R. Horton, Inc.
Appellate Case No. 2024-001813

Dear Ms. Kitchings:

Our firm represents Respondent Mansfield at Park West, Inc., in the above-referenced appeal. Attached please find *Respondent's Motion to Amend The Designation of Matter and Proof of Service*, along with this firm's check for \$50 to cover the filing fee.

Thank you for your consideration and attention to this matter.

With kind regards, I am,

Sincerely yours,

WALKER GRESSETTE & LINTON, LLC

A handwritten signature in blue ink, appearing to read 'M. Minniti', is written over the typed name.

M. Eugenia Minniti

Enclosures (as stated)

cc: All counsel of record via email only

**WALKER
GRESSETTE
LINTON** LLC

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