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Oct 20 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
Judge Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2025-000615
Circuit Court Case No. 2022-CP-07-01978

Broad Creek Development, LLCAppellant,

v.

Beaufort County.....Respondent.

**APPELLANT’S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

Appellant Broad Creek Development, LLC (“Appellant”) proposes that the following be included in the Record on Appeal:

1. Notice of Condemnation and Tender of Payment filed by Beaufort County on September 15, 2022
2. Lis Pendens filed by Beaufort County on September 15, 2022
3. Broad Creek Development’s Summons and Complaint (Challenge Action to Condemnation) filed October 12, 2022
4. Beaufort County’s Answer to Complaint filed October 18, 2022
5. Beaufort County’s Amended Answer to Complaint filed October 24, 2022
6. Beaufort County’s Memorandum in Support of Motion for Summary Judgment, with exhibits, filed October 6, 2023
7. Broad Creek Development’s Memorandum in Support of Motion for Summary Judgment, with exhibits, filed October 6, 2023

8. Transcript of June 1, 2023 Deposition of Beaufort County 30(b)(6) (David Wilhelm)
9. Transcript of July 7, 2023 Deposition of Beaufort County 30(b)(6) (Hank Amundson)
10. Transcript of July 14, 2023 Deposition of Beaufort County 30(b)(6) (Jared Fralix, PE)
11. Transcript of August 9, 2023 Deposition of Tony Martin
12. Transcript of August 10, 2023 Deposition of Brittany Ward, individually and as a 30(b)(6) designee of Beaufort County
13. Transcript of August 18, 2023 Deposition of Beaufort County 30(b)(6) (Henry Amundson Volume II)
14. Transcript of August 28, 2023 Deposition of Beaufort County 30(b)(6) (Henry Amundson Volume III)
15. Transcript of September 24, 2023 Deposition of Beaufort County 30(b)(6) (Henry Amundson Volume IV)
16. Affidavit of Henry Amundson dated October 19, 2023
17. Transcript of October 2, 2024 Deposition of Beaufort County 30(b)(6) (Jared Fralix Volume II)
18. Transcript of October 8, 2024 Deposition of Broad Creek 30(b)(6) (Dean Pierce)
19. Broad Creek Development's Pre-Trial Brief dated October 9, 2024
20. Stipulation of Facts dated October 20, 2024
21. Trial Exhibits 1-106
22. Amended Transcript of October 21, 2024 Trial
23. Order issued by The Honorable Carmen T. Mullen, entered February 18, 2025
24. Broad Creek Development's Motion to Reconsider dated February 28, 2025, with exhibits
25. Amended Order issued by The Honorable Carmen T. Mullen, entered March 7, 2025

[Certification and Signature Follow]

I certify that this Designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

s/ Jeffrey S. Tibbals

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PROOF OF SERVICE

I certify that I have served Appellant’s Designation of Matter to be Included in the Record on Appeal in this matter on the above-named Respondent by e-mailing a .pdf copy of the same to their respective counsel of record, on this 20th day of October, 2025, addressed to the recipient attorney’s primary e-mail address listed in the South Carolina Attorney Information System as shown below:

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