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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Mikell R. Scarborough,
Circuit Court Judge

Appellate Case No. 2025-001719

Henry Bailem, IV, Joseph Bailem, Sheila Bailem, Diane Jefferson,
Michael Jefferson, Sr., Rashica Coakley, and Ann Bailem Simmons,

Appellants,

v.

County of Charleston, Town of Mount Pleasant, DRB Group South Carolina, LLC f/k/a Dan Ryan Builders South Carolina, LLC, Marie P. Howard, Lewis B. Howard, Jr., Lanelle P. Johnson, William Bailem, Sr., X Syvier Lynn Johnson, Sonia Maria Simmons, Kenneth Davis, Juanita Nelson, Titus Howard, Myeisha Howard, James Howard, And John Doe and Jane Doe, fictitious names used herein to designate the unknown heirs at law, distributes, and/or devisees of all persons who are minors or members of the Armed Forces of the United States of America, as contemplated By the Soldiers' and Sailors' Relief Act, 1940,as Amended, and all persons entitled to claim under and through any of them

Defendants,

of which County of Charleston, Town of Mount Pleasant, DRB Group South Carolina, LLC f/k/a Dan Ryan Builders South Carolina, LLC are the

Respondents.

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Appellants propose the following to be included in the Record on Appeal:

1. July 8, 2025, Order Granting Summary Judgment
2. August 1, 2025, Order Denying the Motion to Reconsider
3. June 6, 2024, Amended Complaint (Para. 1, 14, 16-20, 21-23, 24-25, 26)
 - a. Exhibit 1, All Affidavits
 - b. Exhibits 1B, C, D, E, F
4. May 30, 2025, Appellants Memorandum in Opposition
 - a. Exhibit A
 - b. Exhibit B
5. June 2, 2025, Hearing transcript
6. July 18, 2025, Motion to Reconsider and Alter or Amend Judgment Pursuant to Rule 59(e), SCRPC
7. Deposition of James Pennington (pages 11, 51, 54, 95, 96)
8. Deposition of Diane Jefferson (pages 9, 10, 11, 12, 14, 16, 17, 21, 22, 47, 48)
9. Deposition of Henry Bailem (pages 11, 12, 17, 26, 27, 34, 35, 36, 42, 43, 57)
10. Deposition of County of Charleston 30(b)(6) witness, Wesley Linkler (pages 19, 22-25, 30, 34, 36, 39, 50, 51)

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

s/ W. Andrew Gowder, Jr.
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November 3, 2025
Charleston, South Carolina