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Nov 17 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

The Honorable S. Bryan Doby
Circuit Court Judge

Appellate Case No.: 2025-001084

Donna Brunetti, individually, and on behalf of all those similarly situated,

Respondent,

v.

D.R. Horton, Inc., Alternative Septic Services, LLC, and John Does #1-15,

Defendants,

Of Which D.R. Horton, Inc. is the

Appellant.

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

Pursuant to the South Carolina Appellate Court Rules, Respondent, Donna Brunetti, ("Brunetti"), designates the following items for inclusion in the record on appeal. Per Rule 209(c), SCACR, the undersigned counsel certifies that the designation contains no matter which is irrelevant to the appeal.

I. Orders and Judgments

1. March 31, 2025: Form 4 Order Denying D.R. Horton's Motion to Compel Arbitration
2. April 14, 2025: Order Denying D.R. Horton's Motion to Compel Arbitration
3. May 6, 2025: Order Denying D.R. Horton's Motion to Reconsider, Alter, or Amend

II. Pleadings and Motions

4. October 16, 2023: Plaintiff's Summons and Complaint
5. February 6, 2025: D.R. Horton's Motion to Compel Arbitration
6. March 6, 2025: Plaintiff's Memorandum in Opposition D.R. Horton's Motion to Compel Arbitration (with all Exhibits);
7. March 7, 2025: D.R. Horton Memorandum in Support of Motion to Compel Arbitration (with all Exhibits)
8. April 24, 2025: D.R. Horton, Inc.'s Motion to Reconsider, Alter, Amend Order Denying Arbitration
9. May 6, 2025: Form 4 Order Denying D.R. Horton, Inc.'s Motion to Reconsider
10. June 3, 2025: D.R. Horton, Inc.'s Notice of Appeal

III. Transcripts

11. March 10, 2025: Arbitration Hearing Transcript.

IV. Pre-March 2025 Orders Denying D.R. Horton's Motions to Compel Arbitration

12. September 28, 2005: *Upchurch v. D.R. Horton*, No. 2005-CP-40-1231 (S.C. Ct. Com. Pl.) (Judge Barber Sept. 28, 2025 Order Denying Horton's Arbitration Motion) (Richland County)
13. April 12, 2011: *Smith v. D.R. Horton*, No. 2010-CP-18-641) (S.C. Ct. Com. Pl.) (Judge Dickson Apr. 12, 2011 Order Denying Horton's Arbitration Motion) (Dorchester County)
14. January 27, 2021: *Zitek v. D.R. Horton, et al.*, No. 2019-CP-04-1942 (S.C. Ct. Com. Pl.) (Judge Maddox Jan. 27, 2021 Order Denying Horton's Arbitration Motion and Granting Class Certification) (Anderson County)
15. April 25, 2023: *Baddorf, et. al. v. D.R. Horton*, No. 2022-CP-23-03974 (S.C. Com. Pl.) (Judge Gravely Apr. 25, 2023 Order Denying Horton's Arbitration Motion) (Greenville County)

16. November 27, 2024: *Howell v. D.R. Horton, et al.*, No. 2023-CP-02-01719 (S.C. Ct. Com. Pl.) (Judge Fant Nov. 27, 2024 Order Denying D.R. Horton's Arbitration Motion) (Richland County)

V. Post-March 2025 Orders Denying D.R. Horton's Motions to Compel Arbitration

17. April 13, 2025: *Brunetti v. D.R. Horton*, No. 2023-CP-08-02930 (Judge Dobey Apr. 13, 2025 Order Denying D.R. Horton's Arbitration Motion) (Charleston County)

18. July 1, 2025: *Marcuson v. Horton*, No. 2025-CP-32-00257 (Judge Fant July 1, 2025 Order Denying D.R. Horton's Arbitration Motion) (Lexington County)

19. July 1, 2025: *Abatiello v. Horton*, No. 2025-CP-32-00293 (Judge Fant July 1, 2025 Order Denying D.R. Horton's Arbitration Motion) (Lexington County)

20. July 1, 2025: *English v. Horton*, No. 2025-CP-32-00254 (Judge Fant July 1, 2025 Order Denying D.R. Horton's Arbitration Motion) (Lexington County)

21. July 1, 2025: *Wildy v. Horton*, No. 2025-CP-32-00265 (Judge Fant July 1, 2025 Order Denying D.R. Horton's Arbitration Motion) (Lexington County)

22. July 1, 2025: *Faherty v. Horton*, No. 2025-CP-32-00255 (Judge Fant July 1, 2025 Order Denying D.R. Horton's Arbitration Motion) (Lexington County)

23. July 1, 2025: *Henry v. Horton*, No. 2025-CP-32-00256 (Judge Fant July 1, 2025 Order Denying D.R. Horton's Arbitration Motion) (Lexington County)

24. July 1, 2025: *Miles v. Horton*, No. 2025-CP-32-00259 (Judge Fant July 1, 2025 Order Denying D.R. Horton's Arbitration Motion) (Lexington County)

VI. Motions for Reconsideration as to Horton's New Orders and the Tyler Orders

25. December 13, 2024: *Tyler v. D.R. Horton, Inc.*, 2022-CP-08-02548 (D.R. Horton, Inc.'s Motion for Relief and Clarification) (Berkeley County)

26. February 17, 2025: *Tyler v. D.R. Horton, Inc.*, 2022-CP-08-02548 (Plaintiffs' Cross-Motion for Clarification) (Berkeley County)

27. October 2, 2025: *Vriens v. Tip-Top Roofing & Constr., LLC*, 2:23-cv-06797-DCN (Plaintiffs' Motion to Reconsider September 4, 2025 Order) (D.S.C. Charleston)

28. September 25, 2025: *Ban v. D.R. Horton, Inc.*, 2025-CP-26-00526 (Plaintiff's Motion to Reconsider September 15, 2025 Order) (Horry County)

29. September 25, 2025: *Prest v. D.R. Horton, Inc.*, 2025-CP-26-00484 (Plaintiffs' Motion to Reconsider September 15, 2025 Order) (Horry County)

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