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SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas
The Honorable R. Lawton McIntosh

Case No. 2024-CP-04-02229
Appellate Case No. 2025-001549
Appellate Case No. 2025-002012

Moats Construction, Inc. and The Green Man, LLC,

Appellants,

v.

APB Partnership, LLC, Wesley Edwards, 2916 N. Main, LLC, W.H. Bass, Inc., Whataburger
Restaurants, LLC, and United Community Bank,

Respondents.

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

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Appellant Moats Construction, Inc. proposes the following be included in the Record on Appeal:

Orders

1. Form 4 Order Motion Dismiss (June 5, 2025)
2. Order Discharging Mechanic's Liens, Releasing Lis Pendens, and Dismissing Plaintiffs' Causes of Action for Lien Foreclosure (June 17, 2025)
3. Form 4 Order Denying Motion Reconsideration (July 3, 2025)
4. Form 4 Order Cancellation of Lis Pendens (August 27, 2025)
5. Order Denying Plaintiff's Request to Reinstate Lis Pendens (September 4, 2025)

Pleadings and Motions

6. Plaintiffs' Summons and Complaint (October 28, 2024)
7. Plaintiffs' Amended Summons and Complaint (February 17, 2025)
8. Defendants' Motion to Dissolve Mechanic's Lien with Exhibits (April 29, 2025)
9. Plaintiffs' Memorandum in Opposition to Motion to Dismiss with Exhibits (June 2, 2025)
10. Affidavit of Russell T. Moats with Exhibits (June 2, 2025)
11. Defendants' Reply to Plaintiffs' Mem. Opposition to Motion Dismiss (June 4, 2025)
12. Plaintiffs' Motion for Reconsideration (June 27, 2025)
13. Plaintiffs' Supplement to Motion for Reconsideration (June 27, 2025)
14. Letter to Court Re Lis Pendens (July 16, 2025)
15. Plaintiffs' Memorandum in Opposing Premature Release of Lis Pendens (August 26, 2025)

Transcripts

16. Transcript of Hearing on Defendants' Motion to Dismiss (June 5, 2025)
17. Transcript of Hearing on Release of Lis Pendens (August 27, 2025)

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

Respectfully submitted,

s/ David L. Paavola
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