

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC 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.

RESPONDENT TOWN OF MOUNT PLEASANT'S DESIGNATION OF MATTER

Pursuant to Rule 209, SCACR, Respondent Town of Mount Pleasant designates the following material for inclusion in the record on appeal:

1. Complaint (February 23, 2023)
2. Amended Complaint and All Attached Exhibits (June 6, 2024)
3. Town of Mount Pleasant Answer to Amended Complaint & Counterclaim (June 27, 2024)
4. Charleston County Motion to Dismiss (July 1, 2024)
5. DRB Group South Carolina, LLC Answer to Amended Complaint & Counterclaim (Aug. 7, 2024)
6. Charleston County Memorandum in Support of Motion to Dismiss (Oct. 21, 2024)
7. Order on Multiple Motions (Oct. 28, 2024)
8. Charleston County Answer to Amended Complaint & Counterclaim (Nov. 7, 2024)
9. Order on Multiple Motions (February 4, 2025)
10. Town of Mount Pleasant Motion for Summary Judgment & Memorandum in Support and All Attached Exhibits (May 27, 2025)
11. Charleston County Motion for Summary Judgment (May 27, 2025)
12. Charleston County Memorandum in Support of Motion for Summary Judgment and All Attached Exhibits (May 27, 2025)
13. DRB Group South Carolina, LLC Motion for Summary Judgment & Memorandum in Support and All Attached Exhibits (May 27, 2025)
14. Plaintiffs' Memorandum in Opposition to the Motions for Summary Judgment of Charleston County, the Town of Mt. Pleasant, and DRB Group South Carolina, LLC f/k/a Dan Ryan Builders South Carolina (May 30, 2025)
15. Order Granting Summary Judgment (July 8, 2025)
16. Plaintiffs' Motion to Reconsider and Alter or Amend Judgment Pursuant to Rule 59(e) & Supporting Memorandum (July 18, 2025)
17. Order Denying Rule 59(e) Motion to Reconsider (Aug. 1, 2025)

18. Notice of Appeal (Aug. 28, 2025)

The below-signed certify that this Designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

WOMBLE BOND DICKINSON (US) LLP

TOWN OF MOUNT PLEASANT

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PROOF OF SERVICE

I, the undersigned of the law offices of Womble Bond Dickinson (US) LLP, attorneys for Respondent Town of Mount Pleasant do hereby certify that I have served all parties to this appeal with a copy of the pleading(s) specific below by emailing them at the addresses below:

Pleading(s): Town of Mount Pleasant's Designation of Matter

Parties Served:

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By: /s/ M. Todd Carroll

January 7, 2026