

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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Feb 23 2026

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

SC Court of Appeals

The Honorable G.D. Morgan, Jr.
Circuit Court Judge

Appellate Case No. 2025-002136
Circuit Case No. 2025-CP-10-01835

Shelter, LLC, Jason Highsmith, and Kacie Highsmith..... Respondents,
v.
Design Gaps, Inc., David Glover, and Eva Glover Appellants.

RESPONDENTS' DESIGNATION OF MATTER

WOMBLE BOND DICKINSON (US) LLP

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Attorneys for Respondents Shelter, LLC, Jason Highsmith, and Kacie Highsmith

Pursuant to Rule 209, SCACR, Respondents Shelter, LLC, Jason Highsmith, and Kacie Highsmith, designate the following materials for inclusion in the record on appeal:

ORDERS

1. Order Confirming Arbitration Award (August 29, 2025).
2. Form 4 Order, Statement of Judgment (October 3, 2025).

PLEADINGS & MOTIONS

3. Petition for Order Confirming Arbitration Award (April 2, 2025).
4. Amended Petition for Order Confirming Arbitration Award (April 9, 2025).
5. Memorandum in Support of Petition for Order Confirming Arbitration Award (August 28, 2025).
6. Notice and Motion for Vacatur of Arbitration Award (April 9, 2025).
7. Memorandum in Support of Motion for Vacatur and Opposition to Petition for Order Confirming Arbitration Award (August 28, 2025).

SUPPORTING EXHIBITS

8. Arbitrator's Final Award (October 7, 2022).
9. Arbitrator's Interim Order on Motion to Join and Amend Counterclaim (April 20, 2022).
10. Highsmiths and Design Gaps' Contract (August 18, 2020).
11. Shelter and Design Gaps' Contract (September 6, 2020).
12. Shelter and Highsmiths' Demand for Arbitration (July 20, 2021).
13. Emails Selecting Arbitrator (August 25, 2021).
14. David Glover Email with Copyright Registration (April 13, 2022).
15. Design Gaps' Memorandum in Support of Counterclaims (April 18, 2022).
16. R. Andrew Walden's Email to Arbitrator (June 20, 2022).
17. Bryan Reiss Deposition Testimony, 120:6–24 (March 10, 2022).

HEARINGS

18. Hearing Tr., 13:25–15:12 (September 4, 2025).

OTHER MATERIALS

- 19. Design Gaps, Inc, David Glover, and Eva Glover’s Petition for Vacatur of Arbitration Award (D.S.C. December 29, 2022).
- 20. Shelter, LLC, Jason Highsmith, and Kacie Highsmith’s Application for Confirmation of Arbitration Award and Memorandum in Support (D.S.C. February 28, 2022).
- 21. District Court Order & Opinion Confirming Arbitration Award (May 19, 2023).
- 22. District Court Order & Opinion Awarding Attorneys’ Fees (June 9, 2023).
- 23. District Court Order & Judgment (April 2, 2025).
- 24. Fourth Circuit Order dated March 3, 2025, No. 23-1729, also available at *Design Gaps, Inc. v. Shelter, LLC*, 130 F.4th 143 (4th Cir. 2025).
- 25. Fourth Circuit Order dated December 5, 2025, No. 24-1860, also available at *Design Gaps v. Distinctive Design & Constr. LLC*, 162 F.4th 452, 468 (4th Cir. 2025).

Pursuant to Rule 209(c), SCACR, the undersigned certifies that this designation contains no matter which is irrelevant to this appeal. Respondents reserve the right to rely on any matter designated by any other party to this appeal.

February 23, 2026

WOMBLE BOND DICKINSON (US) LLP

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