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**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM LANCASTER COUNTY  
Court of Common Pleas

Eugene C. Griffith, Jr., Circuit Court Judge

Appellate Case No. 2025-002538

MTS CLT, LLC, .....Appellant,

v.

Jane M. Pettus, Trustee of the Joseph A. Pettus  
and Jane M. Pettus Revocable Living Trust  
u/i/d April 12, 2005, and Rob Bilbro, ..... Respondents.

**APPELLANT’S DESIGNATION OF MATTERS  
TO BE INCLUDED IN THE RECORD ON APPEAL**

In accordance with Rule 209 of the South Carolina Rules of Appellate Procedure, Appellant  
MTS CLT, LLC proposes the following to be included in the Record on Appeal:

- 1) Circuit Court’s July 9, 2024 Order on the First Pettus Summary Judgment Motion.
- 2) Circuit Court’s September 19, 2024 Order on the Defendants’ Joint Motion for Protective Order.
- 3) Circuit Court’s December 4, 2025 Order on the Second Pettus Summary Judgment Motion.
- 4) Circuit Court’s December 4, 2025 Order on the Bilbro Summary Judgment Motion.
- 5) Circuit Court’s December 18, 2025 Order on the MTS Reconsideration Motions.
- 6) MTS Lis Pendens, dated November 3, 2023.
- 7) MTS Complaint, dated November 22, 2023.
- 8) Complaint, Exhibit A, Contract.

- 9) Complaint, Exhibit B, Amendment.
- 10) Pettus Counterclaims, dated December 19, 2023.
- 11) First Pettus Summary Judgment Motion, dated March 27, 2024.
- 12) First Affidavit of Jane Pettus, dated March 26, 2024.
- 13) First Affidavit of Jane Pettus, Exhibit C, Seller Closing Documents.
- 14) First Affidavit of Jane Pettus, Exhibit D, Pettus Default Letter.
- 15) First Affidavit of Jane Pettus, Exhibit E, Pettus Termination Letter.
- 16) Defendants' Joint Motion for Protective Order, dated June 13, 2024.
- 17) Pettus Memorandum in Support of First Pettus Summary Judgment Motion, dated June 24, 2024.
- 18) First Affidavit of Brandon Pridemore, dated June 21, 2024.
- 19) First Affidavit of Brandon Pridemore, Exhibit 2, Preliminary plat application, MTS-0000613 to MTS-0000619.
- 20) First Affidavit of Brandon Pridemore, Exhibit 7, Pridemore August 2023 email to the Parties, MTS-001410 to MTS-001415.
- 21) First Affidavit of Brandon Pridemore, Exhibit 9, Pridemore December 2023 email from Lancaster County Planning, MTS-0001448 to MTS-0001449.
- 22) Affidavit of Allen Nason, dated June 21, 2024.
- 23) Second Affidavit of Brandon Pridemore, dated July 5, 2024
- 24) Second Pettus Summary Judgment Motion, dated July 28, 2025.
- 25) MTS Summary Judgment Motion, dated July 28, 2025.
- 26) Bilbro Summary Judgment Motion, dated July 28, 2025.
- 27) Affidavit of Rob Bilbro, dated July 28, 2025.
- 28) Pettus Memorandum in Support of Second Pettus Summary Judgment Motion, dated September 22, 2025.
- 29) MTS Brief in Support of its Summary Judgment Motion and in Opposition to Second Pettus Summary Judgment Motion, dated September 22, 2025.
- 30) MTS Brief in Opposition to Bilbro Summary Judgment Motion, dated September 22, 2025.
- 31) Bilbro Memorandum in Support of Bilbro Summary Judgment Motion, dated September 22, 2025.

- 32) MTS Motion to Reconsider Order on Second Pettus Summary Judgment Motion and MTS Summary Judgment Motion, dated December 12, 2025.
- 33) MTS Motion to Reconsider Order on Bilbro Summary Judgment Motion, dated December 12, 2025.
- 34) MTS Notice of Appeal, dated December 19, 2025.
- 35) Transcript on First Summary Judgment Hearing, pp. 1, 52–54.
- 36) Transcript on Joint Motion for Protective Order Hearing, pp. 1, 4–6.
- 37) Transcript of Second Summary Judgment Hearing, pp. 1, 3–4.
- 38) Deposition Transcript of Rob Bilbro, pp. 1, 14–17, 21–22, 24–25, 27, 46–47, 59, 73–75, 77–78, 84, 127, 132–133, 160, 167–168, 200–201.
- 39) Deposition of Rob Bilbro, Exhibit 1, Listing Agreement, BILBRO\_000478 to BILBRO\_000482.
- 40) Deposition of Rob Bilbro, Exhibit 3, Letter of Intent, BILBRO\_000347 to BILBRO\_000349.
- 41) Deposition of Rob Bilbro, Exhibit 12, Bilbro August 2023 email with developer, BILBRO\_001207 to BILBRO\_001216.
- 42) Deposition Transcript of MTS CLT, LLC 30(b)(6), pp. 1, 146–147.
- 43) Deposition Transcript of Heath Myers, p. 1, 53.
- 44) Deposition of Heath Myers, Ex. 45, MTS-0005437 to MTS-0005440.
- 45) Bilbro Second Interrogatory Responses, dated June 11, 2025.

This Designation includes all materials cited in MTS’s Initial Brief filed and served contemporaneously herewith. In the event MTS’s Initial Brief cites any materials not referenced in this Designation, that omission was inadvertent, and MTS incorporates those materials into this Designation.

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

Respectfully submitted this the 12th day of March, 2026

/s/ J. Kemper Patton  
J. Kemper Patton (SC Bar No. 105202  
James C. Adams, II (*Pro hac Vice*, NC Bar No.  
18063)

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