

RECEIVED

Mar 16 2026

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE SOUTH CAROLINA COURT OF APPEALS**

**APPEAL FROM HORRY COUNTY
Court of Common Pleas**

**Karl A. Folkens, Special Referee
Fifteenth Judicial Circuit**

Appellate Case No: 2026-000090

Jericho State Capital Corp. of Florida Appellant,

v.

Chicago Title Insurance Company..... Respondent

AND

And Lynx Jericho Partners, LLC Appellant,

v.

Chicago Title Insurance Company Respondent.

**DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

Appellants propose the following to be included in the Record on Appeal:

1. 12/15/25 Order Denying Plaintiff’s Motion for Reconsideration and to Alter or Amend Order.
2. 7/17/2025 Plaintiffs’ Motion for Reconsideration and to Alter or Amend Order
3. 7/14/25 Order Considering Defendant’s Second Motion of Summary Judgment and Plaintiffs’ Motion for Summary Judgment
4. 8/28/24 Transcript of Hearing
5. 1/23/24 Chicago Title Second Motion for Summary Judgment
6. 5/1/24 Chicago Title Response in Opposition to Plaintiffs’ Motion for Summary Judgment and Reply in Support of its Second Motion for Summary Judgment
7. 4/2/24 Plaintiffs’ Motion for Summary Judgment and Response to Defendant’s Motion for Summary Judgment
8. 5/14/24 Plaintiffs’ Reply in Support of its Motion for Summary Judgment
9. 6/7/22 Supreme Court Order Denying Petition for Writ of Certiorari

10. 6/10/20 Court of Appeals Opinion No. 5731, *Jericho State Capital Corp., v. Chi. Title Ins. Co.*, 431 S.C. 437 (Ct. App. 2020).
11. 7/10/2017 Order Addressing Motions For Summary Judgment of Special Referee
12. 11/7/2007 Order of Foreclosure (C/A: 2007-CP-26-3579)
13. 11/19/14 Condemnation Judgment (C/A: 2009-CP-26-11956)
14. 7/17/20 Deed from Jericho State to Lennar
15. 9/18/20 Deed from Jericho State to Lynx Jericho Peachtree Phase III, LLC
16. 3/14/22 Deed from Lynx Jericho Peachtree Phase III, LLC to Lennar
17. 9/18/20 Deed from Jericho State to Lynx Jericho Peachtree Phase II, LLC
18. 8/25/23 Deed from Lynx Jericho Peachtree Phase II, LLC to Beverly Homes
19. 8/8/22 Lynx Jericho Mortgage Release
20. 12/28/23 Lynx Jericho Mortgage Release
21. 5/12/23 Jericho State's Response to Defendant's First Requests for Admission
22. Complaint of Appellant Jericho State Capital
23. Answer of Chicago Title to Jericho State Complaint
24. Complaint of Appellant Lynx Jericho
25. Answer of Chicago Title to Lynx Jericho Complaint
26. 2009 Condemnation Notice and 2011 Amended Notice (C/A: 2009-CP-26-11956)
27. Deposition Transcript of Glenn Chwatt
28. Deposition Transcript of Scott Svirsky
29. 1999 Horry County Ordinance No. 107-98
30. 1999 Horry County Ordinance No. 153-99
31. 2002 Horry County Ordinance No. 88-202
32. 7/25/2006 Deed From McClamb to Peachtree Properties
33. 7/25/2006 First Mortgage to R.E. Loans, LLC
34. 7/25/2006 Second Mortgage to Jericho State Capital
35. 7/25/2006 Loan Title Policy (First Mortgage)
36. 7/25/2006 Loan Title Policy (Second Mortgage)
37. 2/26/2008 Deed of Master in Equity, Deed Book 3317, Page 969
38. 5/22/2013 Assignment of Mortgage to Lynx Jericho, Mortgage Book 5500, Page 2940
39. 2/26/2009 Claim Letter of Jericho State
40. 12/3/2009 Response of Chicago Title to Jericho State's Claim Letter
41. 6/21/2013 Claim Letter and 11/14/2014 Supplemental Claim Letter of Lynx Jericho
42. 12/3/2009 Response letter of Chicago Title to Lynx Jericho's Claim
43. Deposition Transcript of Glenn Chwatt
44. Deposition Transcript of Scott Svirsky

Pursuant to Rule 209, I certify this designation contains no matter which is irrelevant to this appeal.
September 21, 2017

/s/ C.Scott Masel
 C. Scott Masel, S.C. Bar No. 12497
 smasel@newbylaw.com
 NEWBY, SARTIP & MASEL, LLC
 4593 Oleander Drive
 Myrtle Beach, SC 29577
 (843) 449-9417
 Attorneys for Appellants

March 16, 2026