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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable Charles B. Simmons, Jr., Master-In-Equity

Case No. 2024-CP-23-04910
Appellate Case No. 2025-002386

Harbor Town Association, Inc.; Oriole Properties, LLC; Thomas and Son Properties, LLC; and
Kelley Yarborough Woody, Esq., Guardian ad Litem Nisi Respondents,

v.

Estate of Rajiv Kumar Lakhaney, Deceased..... Appellant.

APPELLANT’S DESIGNATION OF MATTER

Pursuant to Rule 209(a), SCACR, Appellant Estate of Rajiv Kumar Lakhaney, Deceased,
proposes the following be included in the Record on Appeal:

1. Summons and Complaint (filed August 12, 2024)
2. Lis Pendens (filed August 12, 2024)
3. Affidavit of Non-Service (dated August 19, 2024)
4. Amended Summons and Complaint (filed August 29, 2024)
5. Amended Lis Pendens (filed August 29, 2024)
6. Motion and Order for Appointment of Guardian Ad Litem Nisi and Attorney (entered September 9, 2024)
7. Answer to Amended Complaint and Consent to Reference on behalf of John Doe and Richard Roe (filed September 10, 2024)
8. Summons and Notice of Filing of Complaint (filed September 11, 2024)
9. Notice of Order Appointing Guardian Ad Litem Nisi (filed September 11, 2024)
10. Affidavit of Publication (verified October 11, 2024)

11. Certificate of Mailing (filed with Affidavit of Publication)
12. Order of Reference (entered November 18, 2024)
13. Notice of Hearing (filed April 16, 2025)
14. Affidavit of Attorney for Unknown Defendants in the Military Service and Guardian Ad Litem for Unknown Defendants Who Are Minors or Under Legal Disability (dated May 27, 2025), with Exhibit A
15. Declaration of Covenants, Conditions, and Restrictions
16. Affidavit of Debt
17. Association's Affidavit of Costs
18. Association's Affidavit of Attorney's Fees
19. Judgment of Foreclosure and Sale (Deficiency Judgment Waived) (entered June 11, 2025)
20. Certificate of Mailing for Judgment of Foreclosure and Sale (dated June 23, 2025)
21. Certificate of Mailing for Notice that Foreclosure Sale Has Been Scheduled (dated July 9, 2025)
22. Affidavit of Publication for Foreclosure Sale (filed August 4, 2025)
23. Assignment of Bid (filed August 18, 2025)
24. Order on Sale of Real Estate (entered August 18, 2025)
25. Motion to Vacate (filed September 4, 2025)
26. Transcript of Foreclosure Hearing before the Honorable Charles B. Simmons, Jr. (June 6, 2025)
27. Transcript of Hearing on Motion to Vacate before the Honorable Charles B. Simmons, Jr. (October 7, 2025)
28. Affidavit of Carmen Cortes-Sykes (dated September 3, 2025), with Exhibits A and B
29. Affidavit of Guardian Ad Litem for Unknown Defendants (John Doe and Richard Roe) (dated October 2, 2025), with Exhibits A through F
30. State of New Jersey, Bergen County Probate Materials
31. Exhibit List (filed October 20, 2025)
32. Hearing Exhibits Admitted at October 7, 2025 Hearing (Plaintiff's Exhibit 1; Third-Party Defendant's Exhibits 1 through 9; Defendant's Exhibits A and B)
33. Order Denying Motion to Vacate (entered October 29, 2025)
34. Motion to Reconsider (filed November 7, 2025)
35. Response in Opposition to Motion to Reconsider (filed November 14, 2025)

36. Memorandum in Opposition to Motion to Reconsider (filed November 14, 2025)
37. Affidavit of Clay Custer (dated November 14, 2025), with Exhibits A through C
38. Form 4 Order Denying Motion to Reconsider (entered November 17, 2025)
39. Notice of Appeal and Attachments (filed November 26, 2025)
40. Consent Order Regarding Amount of Appeal Bond and Lis Pendens (entered December 11, 2025)

Counsel certifies this designation contains no matter which is irrelevant to this appeal and no matter which was not presented to the lower court.

Respectfully submitted,

**BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC**

s/ Jane H. Downey

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