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May 22 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

The Honorable Jocelyn Newman, Circuit Court Judge

The Honorable Patrick C. Fant, III, Circuit Court Judge

Appellate Case No. 2025-001957
Lower Court Case No. 2024-CP-42-01687

Donald Roth, Respondent,

v.

The River Bend Sportsman's Resort, Inc., Riverbend Properties, Inc., Ralph H. Brendle, Paul J. Barnwell, Robert T. Estes, and Paul Lehner, Appellants.

RESPONDENT'S DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON
APPEAL

Pursuant to Rule 209, SCACR, Respondent, by and through his undersigned counsel, hereby designate the following material for inclusion in the Record of Appeal:

1. Summons and Complaint, filed April 23, 2024.
2. Answer, filed July 24, 2024.
3. Plaintiff's Motion to Compel, filed August 8, 2024.

Exhibit A – July 26, 2024, Letter to Keneth C. Anthony, Jr. from Fred W. Suggs, III

4. Plaintiff's Memorandum in Support of Motion to Compel, filed September 19, 2024.

Exhibit A – Plaintiff's First Interrogatories to Paul J. Barnwell, dated May 9, 2024;

Plaintiff's First Interrogatories to Ralph N. Brendle, dated May 9, 2024;

Plaintiff's First Interrogatories to Robert T. Estes, dated May 9, 2024;

Plaintiff's First Interrogatories to Paul Lehner, dated May 9, 2024;

Plaintiff's First Interrogatories to Riverbend Properties, Inc., dated May 9, 2024;

Plaintiff's First Interrogatories to River Bend Sportsman's Resort, Inc., dated May 9, 2024;

Plaintiff's First Request for Production of Documents to Paul J. Barnwell, dated May 9, 2024;

Plaintiff's First Request for Production of Documents to Ralph N. Brendle, dated May 9, 2024;

Plaintiff's First Request for Production of Documents to Robert T. Estes, dated May 9, 2024;

Plaintiff's First Request for Production of Documents to Paul Lehner, dated May 9, 2024;

Plaintiff's First Request for Production of Documents to Riverbend Properties, Inc., dated May 9, 2024;

Plaintiff's First Request for Production of Documents to The River Bend Sportsman's Resort, Inc., dated May 9, 2024;

Plaintiff's First Request for Admission to Paul J. Barnwell, dated May 9, 2024;

Plaintiff's First Request for Admission to Ralph N. Brendle, dated May 9, 2024;

Plaintiff's First Request for Admission to Robert T. Estes, dated May 9, 2024;

Plaintiff's First Request for Admission to Paul Lehner, dated May 9, 2024;

Plaintiff's First Request for Admission to Riverbend Properties, Inc., dated May 9, 2024;

Plaintiff's First Request for Admission to River Bend Sportsman's Resort, Inc., dated May 9, 2024; and

Plaintiff's Second Interrogatories to All Defendants, dated July 26, 2024.

Exhibit B – Response to Plaintiff's First Set of Interrogatories to Paul J. Barnwell, dated July 19, 2024;

Response to Plaintiff's First Set of Interrogatories to Ralph N. Brendle, dated July 19, 2024;

Response to Plaintiff's First Set of Interrogatories to Robert T. Estes, dated July 19, 2024;

Response to Plaintiff's First Set of Interrogatories to Paul Lehner, dated July 19, 2024;

Response to Plaintiff's First Set of Interrogatories to Riverbend Properties, Inc., dated July 19, 2024; and

Response to Plaintiff's First Set of Interrogatories to River Bend Sportsman's Resort, Inc., dated July 19, 2024.

5. Response to Plaintiff's Request to Admit to Paul J. Barnwell, dated July 19, 2024.
6. Response to Plaintiff's Request to Admit to Ralph N. Brendle, dated July 19, 2024.
7. Response to Plaintiff's Request to Admit to Robert T. Estes, dated July 19, 2024.

8. Response to Plaintiff's Request to Admit to Paul Lehner, dated July 19, 2024.
9. Response to Plaintiff's Request to Admit to Riverbend Properties, Inc., dated July 19, 2024.
10. Response to Request to Admit to River Bend Sportsman's Resort, Inc., dated July 19, 2024.
11. Email correspondence between Keneth C. Anthony, Jr. and Fred W. Suggs, III, September 23–24, 2024.
12. Consent Order Requiring Defendants to Fully Respond to Discovery, entered September 26, 2024.
13. Plaintiff's Motion for Order and Rule to Show Cause, filed November 4, 2024.

Exhibit A – Plaintiff's Motion to Compel and exhibit thereto

Exhibit B – Consent Order Requiring Defendants to Fully Respond to Discovery

Exhibit C – October 17, 2024, Letter to Keneth C. Anthony, Jr. from Fred W. Suggs, III

Exhibit D – October 23, 2024, Letter to Keneth C. Anthony, Jr. from Fred W. Suggs, III

Exhibit E – Emails to Keneth C. Anthony, Jr. from Fred W. Suggs, III, dated October 22, 2024, October 24, 2024, and October 30, 2024

14. Transcript of Hearing, held January 8, 2025.
15. Order Granting Plaintiff's Motion for Order and Rule to Show Cause, entered January 24, 2025.
16. Response to Plaintiff's First Request for Production of Documents to Paul J. Barnwell, dated January 24, 2025.
17. Response to Plaintiff's First Request for Production of Documents to Ralph N. Brendle, dated January 24, 2025.
18. Response to Plaintiff's First Request for Production of Documents to Robert T. Estes, dated January 24, 2025.
19. Response to Plaintiff's First Request for Production of Documents to Paul Lehner, dated January 24, 2025.
20. Response to Plaintiff's First Request for Production of Documents to Riverbend Properties, Inc., dated January 24, 2025.

21. Response to Plaintiff's First Request for Production of Documents to River Bend Sportsman's Resort, Inc., dated January 24, 2025.
22. Response to Plaintiff's Second Set of Interrogatories to All Defendants, dated January 24, 2025.
23. Supplemental Response to Plaintiff's First Set of Interrogatories to Riverbend Properties, Inc., dated April 4, 2025
24. Supplemental Response to Plaintiff's First Set of Interrogatories to River Bend Sportsman's Resort, Inc., dated April 4, 2025
25. Plaintiff's Third Interrogatories to All Defendants, dated February 21, 2025.
26. Plaintiff's Second Request for Production of Documents to the Defendants, dated February 21, 2025.
27. Email to The Honorable Patrick C. Fant, III from Fred W. Suggs, III, dated March 11, 2025.
28. Letter to The Honorable Patrick C. Fant, III from Kenneth C. Anthony, dated March 18, 2025.
29. Letter to The Honorable Patrick C. Fant, III from Kenneth C. Anthony, dated April 8, 2025.
30. Supplemental Order Granting Plaintiff's Motion for Order and Rule to Show Cause, entered March 26, 2025.
31. Order Striking Defendant's Answer, entered April 16, 2025.
32. Defendants' Motion to Reconsider, filed April 22, 2025.
33. Plaintiff's Memorandum in Opposition to Defendants' Motion to Reconsider, filed April 25, 2025.

Exhibit A – January 30, 2025, Letter to Keneth C. Anthony, Jr. from Fred W. Suggs, III
34. Form 4 Order Denying Defendants' Motion to Reconsider, entered May 27, 2025.
35. Plaintiff's Motion for Entry of Judgment, filed June 25, 2025.
36. Transcript of Hearing and Plaintiff's exhibits, held August 5, 2025.
37. Defendants' Motion to Reconsider, filed August 14, 2025.

38. Order of Judgment, entered August 25, 2025.

The undersigned certifies, pursuant to Rule 209(c), SCACR, that this designation contains no matter which is irrelevant to the appeal.

Respectfully submitted,

CASSIDY COATES PRICE, P.A.

s/ Fred W. Suggs, III

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