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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Robert J. Bonds, Circuit Court Judge
The Honorable Deadra L. Jefferson, Circuit Court Judge
The Honorable R. Kirk Griffin, Circuit Court Judge

Case No. 2011-CP-10-07166
Appellate Case No. 2026-000244

Otha Delaney, Octavia D. Watson, Alicia S. Alston and Paul D. McGuiggan, Jr., Individually and on behalf of all others similarly situated as Co-Class Representatives,
..... Respondents/Appellants,

v.

First Financial of Charleston, Inc.,… ..... Appellant/Respondent.

Appellant/Respondent's Designation of Matter to be Included in the Record on Appeal

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Attorneys for Appellant/Respondent

Appellant/Respondent FFC proposes the following be included in the Record on Appeal:[1]

I. **Pleadings**:

1. Summons and Complaint, filed October 4, 2011;
2. FFC's Answer filed August 1, 2019;
3. Amended Summons and Complaint, filed March 30, 2021;
4. FFC's Answer to the Amended Complaint, filed September 3, 2021;
5. Second Amended Complaint, filed February 18, 2026;
6. FFC Answer to Second Amended Complaint, filed March 5, 2026.

II. **Motions and Memoranda**:

1. FFC's Motion to Dismiss filed November 30, 2011;
2. Delaney Response to FFC's Motion to Dismiss, filed April 5, 2012;
3. FFC Memorandum in Support of its Motion to Dismiss, filed April 20, 2012;
4. Delaney Motion to Reconsider Order Granting FFC Motion to Dismiss, filed May 7, 2013;
5. FFC Response in Opposition to Delaney's Motion to Reconsider the Order Granting FFC's Motion to Dismiss, filed May 13, 2013;
6. Delaney Memorandum in Support of Motion to Reconsider Order Granting FFC's Motion to Dismiss, filed May 15, 2013;
7. Delaney Reply to FFC's Memorandum in Opposition to Delaney Motion to Reconsider Order Granting FFC's Motion to Dismiss, filed May 21, 2013;
8. Delaney's Motion to Amend the Complaint, filed February 11, 2021;
9. Delaney's Motion for Class Certification filed March 11, 2021;
10. FFC's Motion to Dismiss Amended Complaint filed April 29, 2021;
11. Delaney's Memorandum in Support of Class Certification filed June 11, 2021;
12. FFC's Memorandum in Opposition of Class Certification filed June 15, 2021;
13. Delaney's Memorandum in Opposition to FFC's Motion to Dismiss the
14. FFC's Memorandum in Support of its Motion to Dismiss the Amended Complaint, filed July 21, 2021;
15. FFC's Motion to Reconsider the July 27, 2021, Order granting class certification; filed August 6, 2021;
16. FFC's Motion to Reconsider the August 19, 2021, Order, denying FFC's Motion to Dismiss, filed August 30, 2021;
17. Delaney Memorandum in Opposition of FFC's Motion to Reconsider the August 19, 2021, Order, filed September 8, 2021;
18. FFC's Memorandum in Support of its Motion to Reconsider the Order granting class certification, filed October 12, 2021;
19. Delaney's Motion for Summary Judgment, Compel, Sanctions, and an Injunction, filed August 6, 2024;
20. FFC's Moton for Summary Judgment filed September 11, 2024;
21. Delaney's Memorandum in Opposition of FFC's Motion for Summary Judgment,

[1] All items in Appellant/Respondent's Designation of Matter contains exhibits and appendices attached to the referenced items where applicable.

filed November 4, 2024;

22. FFC's Amended Motion for Summary Judgment filed April 20, 2025;
23. FFC's Memorandum in Support of its Motion for Summary Judgment and in Opposition to Plaintiff's Motion for Summary Judgment, filed April 22, 2025;
24. Delaney's Supplemental Memorandum in Support of his Motion for Summary Judgment and in Opposition to FFC's Motion for Summary Judgment, filed April 23, 2025;
25. Delaney's Motion to Intervene, filed July 16, 2025;
26. FFC's Motion to Decertify the Class filed July 25, 2025;
27. Delaney's Supplement to his Motion to Intervene, filed July 31, 2021;
28. Delaney's Memorandum in Support of his Motion to Intervene, filed August 1, 2025;
29. Delaney's Memorandum in Opposition to FFC's Motions for Summary Judgment and Decertification, filed August 8, 2025;
30. FFC's Motion to Reconsider the August 20, 2025, Order, filed September 2, 2025;
31. FFC's Motion to Reconsider the September 18, 2025, Order, filed on September 29, 2025;
32. FFC's Motion to Reconsider the January 22, 2026, Order, filed February 2, 2026;

III. **Orders**:

1. Order granting Motion to Dismiss, filed April 30, 2013;
2. Order denying Motion to Reconsider Order granting Motion to Dismiss, filed March 17, 2014;
3. Order filed July 27, 2021, granting class certification;
4. Order filed August 19, 2021, denying FFC's Motion to Dismiss the Amended Complaint;
5. Order filed November 8, 2021, denying FFC's Motion to Reconsider the August 19, 2021, Order;
6. Order filed February 17, 2022, denying FFC's Motion to Reconsider the Order granting class certification;
7. Form 4 Order filed August 20, 2025, granting Plaintiff's Motion for Summary Judgment, Denying FFC's Motion for Summary Judgment, Denying FFC's Motion to Decertify, and scheduling other motions to be heard;
8. Order filed September 18, 2025, detailing the Court's August 20, 2025, Form 4 Order;
9. Order filed October 22, 2025, staying all matters;
10. Order filed January 22, 2026, denying FFC's Motion to Reconsider the September 18, 2025, Order; Granting Plaintiff's Motion to Intervene filed July 16, 2025; and denying Plaintiff's Motion for Sanctions filed August 6, 2024;
11. Order filed February 26, 2026, denying FFC's Motion to Reconsider;

IV. **Hearing Transcripts**:

1. Transcript of the hearing dated May 1, 2025;

2. Transcript of the hearing dated August 13, 2025;
3. Transcript of the hearing dated October 21, 2025;
4. Transcript of the hearing dated January 9, 2026;
5. Transcript of the hearing dated February 19, 2026;

V. **Prior Related Appellate Matters**:

1. All filings in Court of Appeals Appellate Case No. 2014-000824;
2. All filings in Supreme Court Appellate Case No. 2017-000683;
3. All filings in Court of Appeals Appellate Case. No. 2021-001443;
4. All filings in Supreme Court Appellate Case No. 2022-000838;
5. All filings in Court of Appeals Appellate Case No. 2025-002135;

VI. **Depositions, Appendices, and Other Documents**:

1. Transcript of the 30(b)(6) Deposition of FFC taken on April 15, 2021, including exhibits;
2. Delaney's Letter to Court regarding Exhibits, filed June 11, 2021;
3. Delaney's Letter to Court regarding Exhibit, filed June 11, 2021;
4. Transcript of the Deposition of Otha Delaney taken on July 26, 2024, including exhibits;
5. Transcript of the 30(b)(6) Deposition of FFC taken on September 25, 2024, including exhibits;
6. FFC's Appendix Volumes 1 through 6, which were filed on November 4, 2024:
7. FFC's Appendix of Exhibits for Summary Judgment Memorandum filed April 22, 2025;
8. Delaney Letter to Court regarding Exhibits to its Memorandum in Support/Opposition, filed April 24, 2025;
9. Circuit Court Email to Parties dated August 11, 2025;
10. Email from FFC to Court and Parties dated August 12, 2025.

I certify that this designation contains no matter which is irrelevant to this appeal.[2]

Signature page follows.

[2] To the extent that documents are duplicated within exhibits and/or appendices, they will not be duplicated in the record.

July 13th, 2026

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