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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Jennifer B. McCoy, Circuit Court Judge

Appellate Case No. 2026-000077
Case No. 2015-CP-10-00955

Palmetto Pointe at Peas Island Condominium Property Owners Association,
Inc. and Elizabeth A. Bushey, individually, and on behalf of all others similarly
situated,..... Appellants,

vs.

Island Pointe, LLC; Complete Building Corporation; Tri-County Roofing,
Inc.; Creekside, Inc; American Residential Services, LLC d/b/a ARS/Rescue
Rooter Charleston; Anderson Windows, Inc; Atlantic Building Construction
Services, d/b/a Gale Contractor Services; Novus Architects, Inc., f/k/a SGM
Architects, Inc.; Tallent and Sons, Inc; W C Services, Inc.; CRG Engineering,
Inc; CertainTeed Corporation; Kelly Flooring Products, Inc, d/b/a Carpet
Baggers; Cornerstone Construction and Mark Malloy d/b/a Cornerstone
Construction; Miracle Siding, LLC and Wilson Lucas Sales d/b/a Miracle
Siding, LLC; Mark Palpoint a/k/a Micah Palpoint; Elroy Alonzo Vasquez;
Chris a/k/a John Doe 61; Alderman Construction; Stanley's Vinyl Fences
Designs; Cohen's Drywall Company, Inc; Mosley Concrete; Hand A Framing
Construction, LLC a/k/a H&A Framing Construction, LLC and d/b/a H and A
Framing, LLC, H&A Construction, and Hand A Construction; JMC
Construction, Inc; JMC Construction, LLC; John Doe 1-15,..... Defendants,

of which

Tri-County Roofing, Inc. is theRespondent.

RESPONDENT'S DESIGNATION OF MATTER

Respondent Tri-County Roofing, Inc. ("Respondent"), proposes the following to be included in the Record on Appeal:

Orders, Judgments, Decrees & Decisions

1. Order on Post-Trial Motions, filed July 23, 2019
2. Order Denying Tri-County Roofing, Inc.'s Motion to Reconsider, filed September 25, 2019
3. Order Setting Appeal Bond, filed January 28, 2020
4. Consent Order Regarding Supersedeas/Appellate Bond, filed January 2, 2025
5. Order on Palmetto Pointe at Peas Island Condominium Property Owners Association's Motion to Disburse Bond and Tri-County Roofing, Inc.'s Motion to Stay, filed August 28, 2025
6. Order Denying Palmetto Pointe at Peas Island Condominium Property Owners Association's Motion to Reconsider, filed December 11, 2025
7. Form 4 Order filed December 30, 2025, regarding disbursement of post-judgment funds from the Clerk of Court
8. Order denying Defendant Tri-County Roofing, Inc.'s Motion to Reconsider to issuance of December 30, 2025, Form 4 Order filed February 3, 2026

Pleadings

1. Summons and Complaint, filed February 13, 2015
2. Second Amended Complaint, filed November 2, 2017
3. Tri-County Roofing, Inc.'s Motion to Stay Execution of Judgment and/or to Set an Appellate Bond, filed October 21, 2019
4. BMIC and Scottsdale Motion to Revoke Supersedeas/Appellate Bond filed January 29, 2024.

5. Palmetto Pointe at Peas Island Condominium Property Owners Association's Motion for Entry of Judgment and Disbursement of Bond, with Exhibits A-C, filed June 5, 2025
6. Tri-County Roofing, Inc.'s Response in Opposition to Palmetto Pointe at Peas Island Condominium Property Owners Association's Motion for Entry of Judgment and Cross-Motion to Stay, filed July 28, 2025
7. Tri-County Roofing, Inc.'s Motion to Stay, with Exhibits A-B, filed July 29, 2025
8. Tri-County Roofing, Inc.'s Reply in Opposition to Palmetto Pointe at Peas Island Condominium Property Owners Association's Proposed Order, filed July 31, 2025
9. Tri-County Roofing, Inc.'s Proposed Order, emailed August 15, 2025
10. Palmetto Pointe at Peas Island Condominium Property Owners Association's Modified Proposed Order, emailed August 18, 2025
11. Palmetto Pointe at Peas Island Condominium Property Owners Association's Motion to Alter, Amend, and/or Reconsider Order filed August 28, 2025, with Exhibits 1-2, filed September 8, 2025
12. Tri-County Roofing, Inc.'s Response in Opposition to Plaintiff's Motion to Alter, Amend, and/or Reconsider filed September 26, 2025
13. Tri-County Roofing, Inc.'s Motion to Reconsider and Extend the Applicable Deadline Governing the Stay of Disbursement Until Such Time as the Master-in-Equity Takes Up the Coverage Action and Sets a Schedule for its Resolution filed December 30, 2025
14. Tri-County Roofing, Inc.'s Memorandum in Support of Motion to Reconsider and Extend the Applicable Deadline Governing the Stay of Disbursement Until Such Time as the Master-in-Equity Takes Up the Coverage Action filed February 2, 2026

Transcripts

1. July 31, 2025, Motion Hearing Transcript
2. January 30, 2026, Motion Hearing Transcript

Other Material

1. Verdict Form, dated May 16, 2019

2. Tri-County Roofing, Inc.'s Notice of Appeal and Proof of Service, dated October 14, 2019
3. Supersedeas Bond/Appellate Bond, filed February 4, 2020
4. Supersedeas Bond/Appellate Bond, filed February 7, 2025
5. Remittitur, dated June 5, 2025
6. Palmetto Pointe at Peas Island Condominium Property Owners Association's Email to Judge McCoy with Palmetto Pointe at Peas Island Condominium Property Owners Association's proposed Order, dated July 30, 2025
7. Palmetto Pointe at Peas Island Condominium Property Owners Association's Proposed Final Order and Judgment on Remand, with Exhibits A-B, emailed July 30, 2025
8. Tri-County Roofing, Inc.'s Email to Judge McCoy with copies of Tri-County Roofing, Inc.'s Response in Opposition and Cross-Motion to Stay & Separate Motion to Stay, dated July 30, 2025
9. Tri-County Roofing, Inc.'s Email from Tri-County Roofing, Inc. to Judge McCoy with Tri-County Roofing, Inc.'s Proposed Order, dated August 15, 2025
10. Palmetto Pointe at Peas Island Condominium Property Owners Association's Email to Judge McCoy Objecting to Tri-County Roofing, Inc.'s Proposed Order and Submitting Palmetto Pointe at Peas Island Condominium Property Owners Association's Modified Proposed Order, dated August 18, 2025
11. Palmetto Pointe at Peas Island Condominium Property Owners Association's Notice of Appeal filed January 8, 2026
12. Tri-County Roofing, Inc.'s Notice of Appeal filed March 5, 2026

The undersigned counsel certifies that this Designation of Matter contains no matter which is irrelevant to this appeal.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,

COLLINS & LACY, P.C.

By: s/Christian Stegmaier
CHRISTIAN STEGMAIER
SC Bar No. 68648
cstegmaier@collinsandlacy.com
EVAN M. GESSNER
SC Bar No. 77704
egessner@collinsandlacy.com
ROBERT S. FORNEY
SC Bar No. 101923
rforney@collinsandlacy.com
Post Office Box 12487
Columbia, SC 29211
803.256.2660 (voice)
803.771.4484 (fax)

ATTORNEYS FOR RESPONDENT
TRI-COUNTY ROOFING, INC.

**RESPONDENT'S DESIGNATION OF
MATTER**

August 21, 2026
Columbia, South Carolina