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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
The Honorable H. Steven DeBerry, IV, Circuit Court Judge

Case No. 2022-CP-07-02351
Appellate Case No. 2025-001553

Christina Olson Gecy, Trustee of the Battery Retreat Revocable Trust dated May 28, 2021, and any amendments thereto, ...Appellant,

vs.

Integra Wharf at Battery Creek, LLC; B. McNeal Partnership, L.P.; Gasque & Associates, Inc.; and Fifth Third Bank, N.A., ... Defendants,

Of Which Integra Wharf at Battery Creek, LLC, and Gasque & Associates, Inc. are the ..... Respondents.

CONSENT MOTION TO AMEND RESPONDENT INTEGRA WHARF AT BATTERY CREEK, LLC'S DESIGNATION OF MATTER AND TO AMEND OR SUPPLEMENT THE RECORD ON APPEAL

Pursuant to the South Carolina Appellate Court Rules, Respondent Integra Wharf at Battery Creek, LLC ("Integra"), by and through its undersigned counsel, respectfully moves the Court for leave to amend its Designation of Matter to be Included in the Record on Appeal and to amend or supplement the Record on Appeal to include page 15 of the January 22, 2024 deposition of James Bellamy.

In support of this motion, Integra states as follows:

1. The parties filed their initial briefs and Designations of Matter to be Included in the Record on Appeal in accordance with the South Carolina Appellate Court Rules.

2. Appellant thereafter compiled, filed, and served the Record on Appeal.

3. While preparing its final brief and inserting citations to the Record on Appeal, Integra discovered that page 15 of the January 22, 2024 deposition of James Bellamy was inadvertently omitted from Integra's Designation of Matter and, consequently, from the Record on Appeal.

4. The omitted page was part of the record before the circuit court. Indeed, the circuit court's order at issue expressly quotes testimony appearing on that page. A copy of the omitted deposition page is attached as **Exhibit A**.

5. Integra therefore seeks leave to amend its Designation of Matter to include this page and to amend or supplement the Record on Appeal accordingly. Integra does not seek to add any matter that was not before the circuit court.

6. Counsel for Integra has conferred with counsel for Appellant regarding the omission. Appellant consents to the requested amendment of Integra's Designation of Matter and to amendment or supplementation of the Record on Appeal to include the omitted page.

7. Counsel for Integra has also conferred with counsel for Respondent Gasque & Associates, Inc., who also consents to this motion.

8. Because the omitted page was part of the record before the circuit court, was relied upon and quoted by the circuit court in the order under review, and its inclusion is agreed to by the parties, Integra respectfully submits that amendment or supplementation of the Record on Appeal is appropriate.

9. Integra further requests that all pending appellate deadlines be held in abeyance while this motion is pending and until the Record on Appeal has been amended or supplemented to include the omitted page, with the applicable deadlines thereafter proceeding as provided by the South Carolina Appellate Court Rules or as otherwise directed by the Court.

WHEREFORE, Respondent Integra Wharf at Battery Creek, LLC respectfully requests that the Court grant this motion, permit Integra to amend its Designation of Matter to be Included in the Record on Appeal to include page 15 of the January 22, 2024 deposition of James Bellamy, permit the Record on Appeal to be amended or supplemented to include that page, and hold all pending appellate deadlines in abeyance until the Record on Appeal has been amended or supplemented, with the applicable deadlines thereafter proceeding as provided by the South Carolina Appellate Court Rules or as otherwise directed by the Court.

Respectfully submitted,

CALLISON TIGHE & ROBINSON, LLC

s/ Demetri K. Koutrakos
Demetri K. Koutrakos, SC Bar No. 11318
Harry A. Dixon, SC Bar No. 103509
1812 Lincoln Street, Suite #200 (29201)
P. O. Box 1390
Columbia, SC 29202-1390
Telephone: 803-404-6900
Email: jimkoutrakos@callisontighe.com
Email: harrydixon@callisontighe.com

ATTORNEYS FOR RESPONDENT INTEGRA WHARF AT BATTERY CREEK, LLC

October 7, 2026

EXHIBIT A

IN THE COURT OF COMMON PLEAS
STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

CHRISTINA OLSON GECY, TRUSTEE OF THE BATTERY RETREAT REVOCABLE TRUST DATED MAY 28TH, 2021, AND ANY AMENDMENTS THERETO,	)	
Plaintiff,	)	CIVIL ACTION NO. 2022-CP-07-02351
vs.	)	
INTEGRA WHARF AT BATTERY CREEK, LLC; B. MCNEAL PARTNERSHIP, LP; GASQUE AND ASSOCIATES, INC.; AND FIFTH THIRD BANK NATIONAL ASSOCIATION,	)	
Defendants.	)	

Deposition of JAMES BELLAMY, taken by Counsel for the Defendant, INTEGRA WHARF AT BATTERY CREEK, LLC, pursuant to notice and by agreement of Counsel, under the South Carolina Law, reported by Christine Eddy, RPR, CCR #5637-7586-6404-8640, at the Springhill Suites, 2227 Boundary Street, Beaufort, SC 29902, on Monday, January 22, 2024, commencing at 10:38 a.m.

when he got sick to help take care of him. That was -- that was probably around 2000.

Q. Around the year 2000?

A. Yeah.

Q. And how long did you live there?

A. Up until he passed away, so that would be probably six years total.

Q. You said he died in 2019?

A. Yeah.

Q. And if you moved in in 2000, that would be --

A. No. That's when I moved my boat around to the dock.

Q. Oh, I gotcha.

A. And I lived on my boat.

Q. And then so you moved into the house -- if he died in 2019, when would you have moved in?

A. Let's see. So like 2005, 2006.

Q. So you were in the house for 15 years?

A. On and off, yeah.

Q. On and off. Did you have another residence other than the boat?

A. Not at the same time I was staying there and living with him.

Q. Okay.

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Case No. 2022-CP-07-02351
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Christine Olson Gecy, Trustee of the Battery Retreat Revocable Trust dated May 28, 2021, and any amendments thereto, ... Appellant,

vs.

Integra Wharf at Battery Creek, LLC; B. McNeal Partnership, L.P.; Gasque & Associates, Inc.; and Fifth Third Bank, N.A., ... Defendants,

Of Which Integra Wharf at Battery Creek, LLC, and Gasque & Associates, Inc. are the ..... Respondents.

PROOF OF SERVICE

I hereby certify that, on this date, the Consent Motion to Amend Respondent Integra Wharf at Battery Creek, LLC's Designation of Matter and to Amend or Supplement the Record on Appeal was served on counsel of record via AIS email, pursuant to Supreme Court Order dated March 20, 2020, as amended, as follows:

John E. Parker, Jr., Esquire
Parker Law Group, LLP
101 Mulberry Street East
P. O. Box 457
Hampton, SC 29224
Email: jayparker@parkerlawgroupsc.com
Attorney for Appellant

Everett W. Bennett, Jr., Esquire
148 S. Jefferies Blvd.
P. O. Box 693
Walterboro, SC 29488-0693
Email: bop@lowcountry.com
Attorney for Appellant

R. Morrison M. Payne, Esquire
200 S. Jefferies Blvd.
Walterboro, SC 29488
Email: mpayne@thepaynelawfirm.com
Attorney for Appellant

Irish R. Neville, Esquire
Neville Law Firm, LLC
496 Brunson Court, Suite #140
Email: irn@lawfirmneville.com
Attorney for Appellant

Arden Y. Lowndes, Esquire
J. Patrick Norris, Esquire
Gordon Rees Scully Mansukhani
677 King Street, Suite #450
Charleston, SC 29403
Email: alowndes@grsm.com
Email: pnorris@grsm.com
Attorneys for Respondent
Gasque & Associates, Inc.

I further certify that all parties required by Rule to be served have been served.

Respectfully submitted,

CALLISON TIGHE & ROBINSON, LLC

s/ Demetri K. Koutrakos
Demetri K. Koutrakos, SC Bar #11318
Harry A. Dixon, SC Bar No. 103509
1812 Lincoln Street, Suite #200 (29201)
P. O. Box 1390
Columbia, SC 29202-1390
Telephone: 803-404-6900
Email: jimkoutrakos@callisontighe.com
Email: harrydixon@callisontighe.com

ATTORNEYS FOR RESPONDENT INTEGRA WHARF AT BATTERY CREEK, LLC

October 7, 2026

CALLISON TIGHE

Demetri "Jim" K. Koutrakos – MEMBER
803-404-6900
JimKoutrakos@callisontighe.com

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VIA EMAIL ONLY: ctappfilings@sccourts.org
The Honorable Jenny Abbott Kitchings
Clerk of Court
S. C. Court of Appeals
1220 Senate Street
Columbia, SC 29201

RE: Christina Gecy vs. Integra Wharf at Battery Creek, LLC, *et al*.
Appellate Case No. 2025-001553

Dear Ms. Kitchings:

Enclosed herewith please find a Consent Motion to Amend Respondent Integra Wharf at Battery Creek, LLC's Designation of Matter and to Amend or Supplement the Record on Appeal, together with a Proof of Service. This firm's check in the amount of $50 in payment of the required fee will be hand delivered to your office. The enclosed documents have been served upon counsel of record today via email as indicated in the Proof of Service.

Please feel free to contact me with any questions.

With kind regards, I am

Sincerely yours,

CALLISON TIGHE & ROBINSON, LLC

s/ Demetri "Jim" K. Koutrakos

Demetri "Jim" K. Koutrakos

DKK:ksr
Enclosures
cc (via email):
Everett W. Bennett, Jr., Esquire
John E. Parker, Jr., Esquire
R. Morrison M. Payne, Esquire
Irish R. Neville, Esquire
Arden Y. Lowndes, Esquire
J. Patrick Norris, Esquire
Ian S. Ford, Esquire
Ainsley F. Tillman, Esquire
Mary M. Caskey, Esquire
Roopal S. Ruparelia, Esquire
Harry A. Dixon, Esquire
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