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Oct 12 2026

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 Deadre L. Jefferson, Circuit Court Judge
The Honorable R. Kirk Griffin, Circuit Court Judge

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

Otha M. Delaney, Octavia D. Watson, Alicia S. Alston and Paul McGuiggan, Jr., individually and on behalf of all others similarly situated..... Respondent/Appellant,

v.

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

AND

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

v.

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

**APPELLANT/RESPONDENT FIRST FINANCIAL OF CHARLESTON, INC.'S
RESPONDENT'S DESIGNATION OF MATTER**

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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. Affidavit of Service of the Summons and Complaint, filed, October 12, 2011;
3. FFC's Answer filed August 1, 2019;
4. Amended Summons and Complaint, filed March 30, 2021;
5. FFC's Answer to the Amended Complaint, filed September 3, 2021;

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 Compel; Sanctions; TRO; and Modify Scheduling Order filed April 7, 2022;
9. Delaney's Motion to Compel; Sanctions; TRO; and Modify Scheduling Order filed June 9, 2022;
10. Delaney's Notice of Withdrawal of Plaintiff's Motion to 1) Compel, 2) for Sanctions, 3) Temporary Restraining Order, 4) Modify Scheduling Order and Defendant's Motion for a Protective Order without prejudice filed February 26, 2024;
11. Delaney's Motion to Compel; Sanctions; TRO; and Modify Scheduling Order filed August 6, 2024;
12. Delaney's Memorandum in Support of his Motion for Sanctions filed November 4, 2024;
13. FFC's Memorandum in Opposition of Delaney's Motion for Sanctions filed November 4, 2024;
14. FFC's Memorandum in Opposition of Delaney's Motion for Sanctions filed October 21, 2025;
15. Delaney's Memorandum in Support of his Motion for Sanctions filed January 16, 2026;
16. Delaney's Motion to Reconsider the January 22, 2026, Order, filed February 2, 2026;

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

III. **Orders:**

1. Order granting FFC's Motion to Respond to Plaintiff's Discovery Requests, filed March 29, 2012;
2. Order granting Motion to Dismiss, filed April 30, 2013;
3. Order denying Motion to Reconsider Order granting Motion to Dismiss, filed March 17, 2014;
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. Form 4 Order filed June 6, 2022, Noting Withdrawal of the April 7, 2022, Motion by Delaney;
7. Order Filed December 12, 2024, noting the continuance of Delaney's Motion for Sanctions;
8. 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;
9. Form 4 Order filed February 26, 2026, denying Delaney's Motion to Reconsider;
10. Order filed March 10, 2026, denying Delaney's Motion to Reconsider.

IV. **Hearing Transcripts:**

1. Transcript of the hearing dated January 9, 2026;
2. 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;

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

1. Letter serving Delaney's First Set of Discovery Requests and Delaney's First Interrogatories, Requests for Production, and Requests for Admission to FFC dated February 22, 2012;
2. FFC's Answers to Delaney's First Interrogatories and Requests for Production, dated October 23, 2019;
3. Transcript of the 30(b)(6) Deposition of FFC taken on April 15, 2021, including exhibits;
4. FFC's Appendix of Exhibits filed November 4, 2024;
5. Transcript of the 30(b)(6) Deposition of FFC taken on September 25, 2024, including exhibits;
6. FFC's Appendix of Exhibits filed April 22, 2025.
7. Affidavit of Alson, Exhibit B to Delaney's Memorandum in Support of his Motion to Intervene;

8. Affidavit of McGuiggan Exhibit C to Delaney's Memorandum in Support of his Motion to Intervene.

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

October 12, 2026

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

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

v.

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The Honorable Deadra L. Jefferson,
The Honorable Robert J. Bonds
Charleston County
Trial Court Case No. 2011CP1007166

PROOF OF SERVICE

I certify that I have served *Appellant/Respondent First Financial of Charleston, Inc.'s Respondent's Designation of Matter*, upon the parties below by electronic mail, addressed as follows:

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