

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas
Benjamin H. Culbertson, Circuit Court Judge

Case No. 2012-CP-26-8652

TriStar Investors, Inc., Minerva Realty, LLC, and Angeline Johnson,Appellants,

v.

The Horry County Council and American Towers, LLC,Respondents.

Appellate Case No. 2013-001178

RESPONDENT AMERICAN TOWERS, LLC'S
DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

David C. Slough, Esq.
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Attorneys for Respondent American Towers, LLC

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SC Court of Appeals

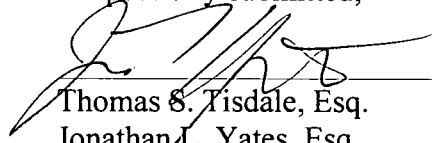
1. Plaintiffs' Complaint¹
2. American Towers' Answer
3. Horry County Council's Return to Appellants' Petition for Supersedeas Relief
4. Circuit Court Final Judgment Order dated 5/21/13
5. Plaintiffs' Brief in Support of Application for Temporary Restraining Order
6. Temporary Order dated 4/8/13
7. Appellants' Notice of Appeal
8. Circuit Court Transcript dated 5/31/13
9. Circuit Court Order dated 5/31/13
10. Appellants' Petition for *Ex Parte* Supersedeas Relief filed 6/3/13
11. Court of Appeals Order dated 6/5/13
12. Appellants' Petition for Supersedeas Relief filed 6/6/13
13. Court of Appeals Order dated 6/13/13
14. American Towers' Memorandum in Opposition to Temporary Restraining Order
15. American Towers' Letter and Re-location Application with Supporting Exhibits dated 8/31/12
16. Horry County Council Transcript dated 10/16/12
17. Circuit Court Transcript dated 4/26/13
18. Court of Appeals Order dated 6/13/13
19. Resolution R-73-12 dated 10/16/12 as amended
20. Affidavit of David Schwerd dated 12/5/12 with Horry County Planning & Zoning Department 10/5/12 and 11/5/12 Decision Memoranda

¹ All documents designated herein shall include all exhibits attached thereto.

21. Record of Horry County Council proceedings presented to Circuit Court

Date: January 3, 2014

Respectfully submitted,



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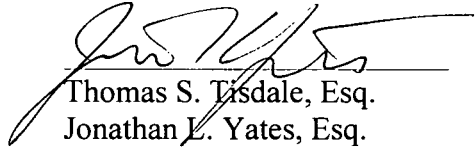
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Certification

Pursuant to Rule 209, SCACR, undersigned counsel hereby certifies that this designation contains no matter which is irrelevant to the appeal.



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PROOF OF SERVICE

I, Ann Skipper Ballenger, paralegal for the attorneys representing Respondent American Towers, LLC, hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings:

Respondent American Towers, LLC's Initial Brief and Designation of Matter

Counsel Served:

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January 3, 2014

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January 3, 2014

Via FedEx (tracking no.: 797548626522)

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals Clerk of Court
1015 Sumter Street
Columbia, S.C. 29201

RE: *TriStar Investors, Inc., Minerva Realty, LLC, and Angeline Johnson v. The Horry County Council and American Towers, LLC*
Appellate Case No: 2013-001178
Our File No.: 01417

Dear Ms. Kitchings:

Enclosed herein please find one (1) original and one (1) copy of Respondent American Towers, LLC's Initial Brief and Designation of Matter in regards to the above-referenced matter.

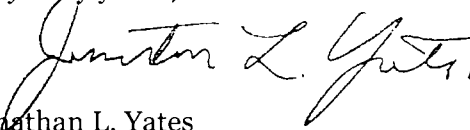
Please return one file-stamped copy of Respondent's Initial Brief and Designation of Matter to our office in the enclosed, self-addressed stamped envelope.

Please be advised that by copy of this letter, I am simultaneously serving opposing counsel and all involved parties with a copy of the same.

Thank you for your assistance. If you have any questions, please do not hesitate to contact me at your convenience.

With kindest regards, I am

Very truly yours,


Jonathan L. Yates

JLY:asb
Encs.

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SC Court of Appeals

January 3, 2014

Page 2

cc: Susan P. MacDonald, Esq.
James Christopher Clark, Esq.
Michael J. Anzelmo, Esq.
David C. Slough, Esq.
Thomas C. Brittain, Esq.
A. Preston Brittain, Esq.
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J. Jackson Thomas, Esq.
Arrigo P. Carotti, Esq., Horry County Attorney

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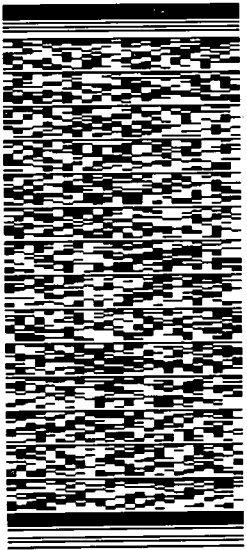


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S.C. Court of Appeals
1015 Sumter Street
COLUMBIA, SC 29201



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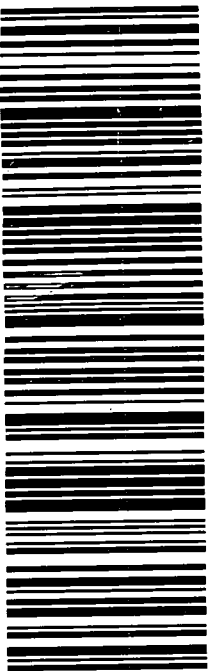
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