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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

Jennifer B. McCoy, Circuit Court Judge

Case No. 2015-CP-10-00955
Appellate Case No. 2026-000531

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

Appellants,

v.

Island Pointe, LLC; Complete Building Corporation; Tri-County Roofing, Inc.; Creekside, Inc.; American Residential Services, LLC d/b/a ARS/Rescue Rooter Charleston; Andersen Windows, Inc.; Atlantic Building Construction Services, Inc. n/k/a Atlantic Construction Services, Inc.; Builder Services Group, Inc. d/b/a Gale Contractor Services; Novus Architects, Inc. f/k/a SGM Architects, Inc.; Tallent and Sons, Inc.; WC 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 LLC; Mark Palpoint a/ka Micah Palpoint; Elroy Alonzo Vasquez; Chris a/k/a John Doe 61; Alderman Construction; Stanley's Vinyl Fence 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 the

Respondent.

**RESPONDENTS' DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

**Counsel identified on the following page*

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Attorneys for Appellants

Respondents propose the following to be included in the Record on Appeal:

Orders

1. Order on Post-Trial Motions, filed July 23, 2019;
2. Order Denying TCR's Motion to Reconsider, filed September 25, 2019;
3. Order Setting Appeal Bond, filed January 28, 2020;
4. Consent Order Allowing Substitute Appeal Bond, filed January 2, 2025;
5. Order on Plaintiffs' Motion to Disburse Bond and TCR's Motion to Stay, filed August 28, 2025;
6. Order Denying Plaintiffs' Motion to Reconsider, filed December 11, 2025;
7. Order filed December 30, 2025;
8. Order filed February 3, 2026;

Pleadings

9. Summons and Complaint, filed February 13, 2015;
10. Second Amended Complaint, filed November 2, 2017;

Transcript

11. July 31, 2025, Motion Hearing Transcript;
12. January 30, 2026, Motion Hearing Transcript;

Other Material

13. Verdict Form, dated May 16, 2019;
14. TCR's Notice of Appeal and Proof of Service, dated October 14, 2019;
15. TCR's Motion to Stay Execution of Judgment and/or to Set an Appellate Bond, filed October 21, 2019;
16. Original Appeal Bond, filed February 4, 2020;
17. Substitute Appeal Bond, filed February 7, 2025;

18. Remittitur, dated June 5, 2025;
19. Plaintiffs' Motion for Entry of Judgment and Disbursement of Bond, with Exhibits A-C, filed June 5, 2025;
20. TCR's Response in Opposition to Plaintiff's Motion for Entry of Judgment and Cross-Motion to Stay, filed July 28, 2025;
21. TCR's Motion to Stay, with Exhibits A-B, filed July 29, 2025;
22. Plaintiffs' Email to J. McCoy with Plaintiffs' proposed Order, dated July 30, 2025;
23. Plaintiffs' Proposed Final Order and Judgment on Remand, with Exhibits A-B, emailed July 30, 2025;
24. TCR's Email to J. McCoy with Copies of TCR's Response in Opposition and Cross-Motion to Stay & Separate Motion to Stay, dated July 30, 2025;
25. TCR's Reply in Opposition to Plaintiffs' Proposed Order, filed July 31, 2025;
26. TCR's Email from TCR to J. McCoy with TCR's Proposed Order, dated August 15, 2025;
27. TCR's Proposed Order, emailed August 15, 2025;
28. Plaintiffs' Email to J. McCoy Objecting to TCR's Proposed Order and Submitting Plaintiffs' Modified Proposed Order, dated August 18, 2025;
29. Plaintiffs' Modified Proposed Order, emailed August 18, 2025;
30. Plaintiffs' Motion to Alter, Amend, and/or Reconsider Order filed August 28, 2025, with Exhibits 1-2, filed September 8, 2025;
31. TCR's Motion filed December 30, 2025;
32. Notice of Appeal (excluding Orders), with Proof of Service, filed January 8, 2026;
33. TCR's Memo in Support filed February 2, 2026; and
34. TCR's Notice of Appeal and Proof of Service, dated March 5, 2026.

I certify that this Designation of Matter contains no matter which is irrelevant to this appeal.

Respectfully submitted,

By: s/Russell G. Hines
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