

IN THE COURT OF APPEALS OF SOUTH CAROLINA
Appellate Case No. 2026-001231
Appeal from Charleston County Court of Common Pleas
Trial Court Case No. 2023-CP-10-00524
The Honorable Jennifer B. McCoy, Circuit Court Judge
Craig L. Peterkin, Appellant, v. Michael Holt d/b/a Liberty Services, Respondent

**DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL
(Rule 209, SCACR)**

Pursuant to Rule 209, SCACR, and the Court's Order filed October 5, 2026, Appellant designates the following matter to be included in the Record on Appeal. Within each part, items are listed in date order. This Amended Designation is filed with Appellant's Amended Initial Brief and replaces the Designation conditionally filed September 14, 2026.

I. PLEADINGS

1. Small Claims Complaint, filed November 30, 2022 (ROA Item 4), with all attachments.
2. Answer and reply of Michael Holt d/b/a Liberty Services to the Small Claims Complaint, December 2022 - January 2023 (ROA Item 5).
3. Summons and Complaint, filed in Common Pleas February 2, 2023 (ROA Item 8), with all attachments.
4. Answer to Complaint of Michael Holt, February 2, 2023 (ROA Item 10).
5. Answer to Amended Complaint of Michael Holt, with fourteen affirmative defenses, October 10, 2024 (ROA Item 27).
6. Answer, Affirmative Defenses, and Crossclaims of HomeServe USA Repair Management Corp. against Michael Holt, November 15, 2024 (ROA Item 31).
7. Answer to Crossclaim of Michael Holt, January 7, 2025 (ROA Item 42).

II. MOTIONS, MEMORANDA, AND SUPPORTING DOCUMENTS

1. City of Charleston stop-work order dated January 29, 2020, wherever it appears in the record, including as attached to the Complaint and to Plaintiff's motions.
2. Plaintiff's Motion for Summary Judgment, June 10, 2024, with all exhibits (ROA Item 16).
3. Defendant Holt's Motion for Judgment on the Pleadings, June 2024 (ROA Item 17).
4. Defendant Holt's Memorandum in Support of Judgment on the Pleadings, August 9, 2024 (ROA Item 18).
5. Defendant Holt's Opposition to Plaintiff's Motion for Summary Judgment, August 14, 2024 (ROA Item 19).
6. Affidavit of Michael Holt, August 14, 2024 (ROA Item 20).
7. Plaintiff's Notice of Motion and Motion to Amend Complaint and Add Parties, August 26, 2024, with all attachments (ROA Item 26).

8. HomeServe's Partial Motion to Dismiss under Rule 12(b)(6), November 15, 2024 (ROA Item 30).
9. Defendant Holt's Motion to Compel Discovery, November 17, 2024 (ROA Item 32).
10. Plaintiff's Motion to Compel and Set Case for Jury Trial, November 17, 2024 (ROA Item 33).
11. Plaintiff's Reply to Defendants' Answer and Crossclaim, November 25, 2024 (ROA Item 35).
12. Plaintiff's Motion to Strike HomeServe's Affirmative Defenses, November 27, 2024 (ROA Item 36).
13. HomeServe's Motion for Continuance of December 16, 2024 Trial, December 3, 2024 (ROA Item 37).
14. HomeServe's Motion for Judgment on the Pleadings, January 10, 2025 (ROA Item 43).
15. Plaintiff's Memorandum in Opposition, with Motion for Equitable Tolling, January 27, 2025 (ROA Item 45).
16. Plaintiff's Motion for Severance and Separate Trials, January 27, 2025 (ROA Item 46).
17. HomeServe's Memorandum in Support of Motion for Judgment on the Pleadings, March 11, 2025 (ROA Item 51).
18. Joint Motion of HomeServe and Holt to Dismiss Crossclaims Without Prejudice, May 16, 2025 (ROA Item 61).
19. Plaintiff's Motion to Compel ADR, September 29, 2025.
20. Service by e-mail of October 25, 2025 (ROA Item 65a).
21. Subpoena duces tecum issued by the Clerk of Court and served November 12, 2025, on counsel authorized to accept service for Michael Holt, with the affidavits of service by private process server.
22. Plaintiff's renewed Motion to Compel and Set Case for Jury Trial, submitted November 17, 2025, with the attached affidavits of service.
23. Plaintiff's Motion for Pre-Trial Relief, January 14, 2026 (ROA Item 68).
24. Plaintiff's Brief Documenting Unresolved Pretrial Violations, May 11, 2026 (ROA Item 71).
25. Plaintiff's Memorandum in Support of Motion for Pre-Trial Relief and Trial on the Merits.

III. ORDERS AND JUDGMENTS

1. Order Transferring Case to Common Pleas, entered February 2, 2023 (ROA Item 7).
2. Order Denying Plaintiff's Motion for Summary Judgment, Judge McCoy, entered August 20, 2024 (ROA Item 23).
3. Order Denying Defendant's Motion for Judgment on the Pleadings, with leave to amend, Judge McCoy, entered August 20, 2024 (ROA Items 24-25).

4. Order on Motion to Amend, Judge Young, October 15, 2024 (ROA Item 28).
5. Order of Continuance of December 16, 2024 Trial, Judge McCoy, December 4, 2024 (ROA Item 38).
6. Order denying Plaintiff's Motion to Strike and Motion for Separate Trials, Judge Pope, April 10, 2025 (ROA Item 58).
7. Order granting Defendants' Motion for Judgment on the Pleadings and Partial Motion to Dismiss, Judge Pope, April 10, 2025 (ROA Item 59).
8. Order dismissing crossclaims without prejudice, Judge McCoy, signed May 26, 2025, filed May 27, 2025.
9. Order Relieving Attorney Curry from Case, Judge DeBerry, October 6, 2025 (ROA Item 64).
10. Order Requiring Mediation Within 15 Days and Continuing Trial Date, Judge DeBerry, October 6, 2025 (ROA Item 65).
11. Form 4 Order on Plaintiff's Motion to Compel and Set Case for Jury Trial, Judge McCoy, entered January 9, 2026.
12. Final Judgment (Form 4 and Order), Judge McCoy, entered May 19, 2026 (ROA Item 74).
13. Order dismissing crossclaims against co-defendants without prejudice, Judge Van Slambrook, May 26, 2026 (ROA Item 75).
14. Order denying Plaintiff's motion alleging pretrial violations as moot, Judge Van Slambrook, entered May 26, 2026 (ROA Item 76).

IV. TRANSCRIPTS

1. Transcript of Hearing, August 15, 2024 (Judge McCoy) (ROA Item 22).
2. Transcript of Hearing, October 15, 2024 (Judge Young) (ROA Item 29).
3. Transcript of Hearing, March 18, 2025 (Judge Pope) (ROA Item 56).
4. Transcript of Hearing, January 6, 2026 (Judge McCoy) (ROA Item 67).
5. Transcript of Non-Jury Trial, May 6, 2026 (Judge McCoy) (ROA Item 70).
6. Transcript of Hearing, May 18, 2026 (Judge Van Slambrook) (ROA Item 73).

V. EXHIBITS

1. Defense Exhibit 1 and all other exhibits received or reviewed by the Court at trial on May 6, 2026.
2. Defense Exhibit 2 (Liberty Services invoice to HomeServe), admitted May 6, 2026.

VI. DOCKET AND APPEAL PAPERS

1. Circuit Court docket/index, including the entry of August 31, 2023 stating "ADR: COMPLETED" (ROA Item 14).
2. Notice of Appeal, filed May 20, 2026 (ROA Item 77).