

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

Alexander S. Macaulay, Circuit Court Judge

Case No. 2011-CP-04-2728
Appellate Case No. 2013-002341

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JAN 27 2014
SC Court of Appeals

LNV Corporation,..... Respondent,

v.

Affordable Hospitality Group-Anderson, LLC;
Diversified Capital Investment Group, LLC; Jay Berlye;
Anderson County, South Carolina; and the State of South
Carolina, Defendants.

Of Whom Affordable Hospitality Group-Anderson, LLC;
Diversified Capital Investment Group, LLC, and Jay
Berlye are, Appellants.

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

Respondent LNV Corporation proposes the following be included in the
Record on Appeal:

1. September 23, 2013, Order denying Appellants' Rule 59(e) Motion
and Motion to Amend the Amended Answer and Counterclaims;
2. July 1, 2013, Order vacating June 10, 2013, Order denying
Appellants' Rule 59(e) Motion;
3. June 10, 2013, Order denying Appellants' Rule 59(e) Motion;
4. November 14, 2012, Order granting Respondent's Motion to
Dismiss;

5. November 21, 2011, Appointment of a Receiver;
6. September 12, 2011, Respondent's Complaint with all Exhibits;
7. November 28, 2011, Appellants' Amended Answer and Counterclaim with all Exhibits;
8. January 9, 2012, Respondent's Answer to Amended Counterclaims;
9. Respondent's January 9, 2012, Motion to Dismiss;
10. Appellants' February 28, 2012, Memorandum Opposing Respondent's Motion to Dismiss with all Exhibits;
11. Respondent's February 28, 2012, Memorandum in Support of its Motion to Dismiss with all Exhibits;
12. Appellants' April 2, 2012, Supplement Memorandum in Opposition to Respondent's Motion to Dismiss with all Exhibits;
13. Respondent's Reply in Support of its Motion to Dismiss with all Exhibits;
14. Appellants' November 26, 2012, Motion to Alter or Amend Judgment;
15. Appellants' November 26, 2012, Motion to Amend Amended Answer and Counterclaims with Proposed Amended Pleading with all exhibits;
16. Respondent's May 6, 2013, Opposition to Appellants' Motion to Alter or Amend Judgment;

17. Respondent's May 6, 2013, Opposition to Appellants' Motion to
Amend their Amended Answer and Counterclaim;

18. September 12, 2013, hearing transcript;

19. February 29, 2013, hearing transcript; and

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

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Attorneys for Respondent LNV Corporation

Columbia, South Carolina
January 27, 2014

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LNv Corporation, Respondent,

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Affordable Hospitality Group-Anderson, LLC;
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Of Whom Affordable Hospitality Group-Anderson,
LLC; Diversified Capital Investment Group, LLC, and
Jay Berlye are, Appellants.

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins
Riley & Scarborough LLP, attorneys for Respondent, do 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's Designation of Matter to be Included in the
Record on Appeal

Counsel Served:

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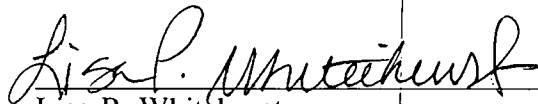
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January 27, 2014

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January 27, 2014

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
1015 Sumter Street - 5th Floor
Columbia, SC 29201

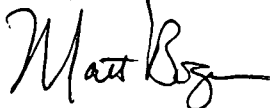
RE: LNV Corporation v. Affordable Hospitality Group--Anderson, LLC; Diversified Capital Investment Group, LLC; Jay Berlye; Anderson County, South Carolina and the State of South Carolina
Civil Action No. 2011-CP-04-02728
Our File No. 16030/01502

Dear Ms. Kitchings:

Enclosed please find the original and one copy each of the Initial Brief of Respondent LNV Corporation and Respondent's Designation of Matter to be Included in the Record on Appeal. We would ask that you file the originals and return clocked-in copies to us via our courier.

By copy of this letter to counsel of record, we are serving them with copies of these pleadings.

Very truly yours,



A. Mattison Bogan

AMB:lpw
Enclosure

cc: Ronald M. Childress, Esquire
Michael S. Pitts, Esquire
Milton G. Kimpson, Esquire