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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

The Honorable Stephanie P. McDonald, Circuit Court Judge

Case No. 2009-CP-08-3652

First National Bank of Spartanburg, Div. of First National Bank of the South,
.....Respondent,

v.

Liberty Village, LLC,
.....Appellant.

COUNTER DESIGNATION OF MATTER TO
BE INCLUDED IN THE RECORD ON APPEAL

In addition to the designations of Appellant, Respondent proposes the following
to be included in the Record on Appeal:

1. Plaintiff's Amended Reply to Counterclaim of Defendant, dated March 1, 2010
2. Berkeley County Non-jury Trial Docket Notice, dated March 21, 2012
3. Order Denying Defendant's Motion to Alter or Amend Judgment, dated May 1, 2013

Respondent certifies that this designation contains no matter which is irrelevant to
this appeal.

Respectfully submitted,



Robert A. Kerr, Jr.
Lesley A. Firestone
MOORE & VAN ALLEN, P.L.L.C.
78 Wentworth Street
Charleston, SC 29401
(843) 579-7000

Attorneys for Respondent

February 10, 2014

Other Counsel of Record:

Aaron E. Edwards
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Attorney for Appellant

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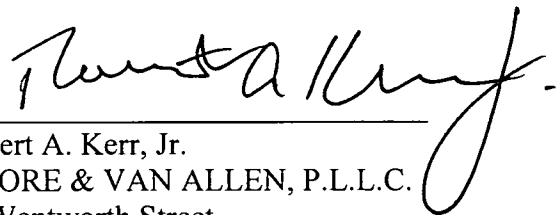
v.

Liberty Village, LLC,
.....Appellant.

PROOF OF SERVICE

The undersigned hereby certifies that on February 10, 2014, true and correct copies of the **Initial Brief of Respondent and Counter Designation of Matter to be Included in the Record on Appeal** in the above-referenced matter were served on the parties listed below, by United States mail, proper postage prepaid addressed as follows:

Lawrence E. Richter, Jr., Esq.
Aaron E. Edwards, Esq.
The Richter Firm, LLC
622 Johnnie Dodds Blvd.
Mount Pleasant, SC 29464



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MOORE & VAN ALLEN, P.L.L.C.
78 Wentworth Street
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(843) 579-7000
Attorneys for Respondent

Moore & Van Allen

February 10, 2014

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

Robert A. Kerr, Jr.
Attorney at Law

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Charleston, SC 29413-2828

**RE: First National Bank of Spartanburg, Div. of First National Bank
of the South v. Liberty Village, LLC
Appellate Case No. 2013-001258**

Dear Ms. Kitchings:

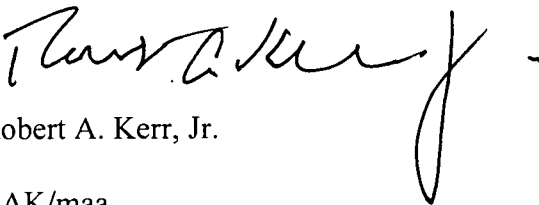
Enclosed for filing, please find an original and one (1) copy of each of the following:

- (1) Initial Brief of Respondent;
- (2) Respondent's Counter Designation of Matter to be Included in the Record on Appeal; and
- (3) Proof of Service.

Thank you for your assistance in this matter and please call me with any questions.

Yours very truly,

MOORE & VAN ALLEN, PLLC



Robert A. Kerr, Jr.

RAK/maa
Enclosures

cc: Lawrence E. Richter, Jr., Esq.
Aaron E. Edwards, Esq.
Kaye Gaddis, Capital Bank

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