

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

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Case No. 2005-CP-10-2434

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RECEIVED

JAN 15 2014

SC Court of Appeals

Ashley River Properties II, LLC, as assignee of Lunar  
Systems, LTD and Ashley River Properties II, LLC.....Respondents

v.

Ashley River Properties One, LLC, successor in the  
interest to Ripley Light Yacht Club, LLC and Ripley  
Light Development, LLC.....Appellant

Ashley River Properties One, LLC, Third-Party  
Plaintiffs.....Appellant

v.

Lunar Systems, LTD and Thomas J. Lussier, Third-  
Party Defendants.....Respondents

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DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL

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Clayton B. McCullough, Esq.  
Ross A. Appel, Esq.  
McCULLOUGH KHAN, LLC  
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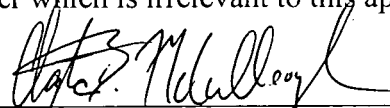
ATTORNEYS FOR APPELLANT

Appellant proposes the following to be included in the Record on Appeal:

1. Ashley River Properties I, LLC's Trial Brief;
2. Transcript of Hearing before the Honorable Deadra L. Jefferson January 22, 2013; (2005-CP-10-2434) (Out of Order Witness Testimony of Thomas Lussier from January 22, 2013);
3. Transcript of Hearing before the Honorable Deadra L. Jefferson January 23, 2013 (2005-CP-10-2434);
4. 2005 Arbitration Award;
5. ARP-II's Request to Modify 2005 Arbitration Award;
6. Arbitrator's Decision Denying ARP-II's Request to Modify;
7. Foreign Judgment Enrolled in South Carolina;
8. 2010 Arbitration Award;
9. May 25, 2007 E-mail from Thomas Lussier to Davidson Williams;
10. December 20, 2007 E-mail from Davidson Williams to Thomas Lussier;
11. December 20, 2007 Settlement Agreement and Assignment Between ARP-II and Lunar/Lussier;
12. Order and Judgment of the Honorable Deadra L. Jefferson dated and filed April 26, 2013;
13. Notice of Entry of Judgment;
14. Motion to Alter or Amend Judgment Filed by Ashley River Properties I, LLC on May 9, 2013;
15. Order Denying Plaintiff's Motion to Alter or Amend of the Honorable Deadra L. Jefferson dated and filed July 24, 2013;
16. Notice of Entry of Judgment Denying Motion to Alter and Amend;
17. Notice of Appeal; and
18. Order filed December 5, 2013 Extending Time for Ashley River Properties I, LLC to File its Initial Brief.

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

January 13, 2014

  
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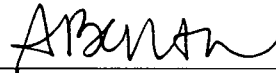
Lunar Systems, LTD and Thomas J. Lussier, Third-Party Defendants.....Respondents

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PROOF OF SERVICE  
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I, the undersigned Paralegal of the law firm of McCullough Khan, LLC, attorneys for Appellant, do hereby certify that I have served all counsel in this action with a copy of the **Designation of Matter to be Included in the Record on Appeal** by mailing a copy of same by United States Mail, postage prepaid, to the following addresses:

William C. Cleveland, Esq.  
P.O. Box 999  
Charleston, SC 29402

Frank M. Cisa, Esq.  
858 Lowcountry Blvd., Suite 101  
Mt. Pleasant, SC 29464



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Alicia M. Benton  
Paralegal

January 13<sup>th</sup>, 2014