

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM BEAUFORT COUNTY  
Marvin H. Dukes III, Master in Equity

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Case No. 2013-002281

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Deep Keel, LLC, ..... Respondent,

v.

Atlantic Private Equity Group, LLC, Terry L. Rohlfig,  
Jerry T. Caldwell, and Bluffton Village Town Center  
Property Owners' Association, Inc., ..... Defendants,

Of Whom Atlantic Private Equity Group, LLC,  
Terry L. Rohlfig, and Jerry T. Caldwell are the . . . Appellants.

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

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Pursuant to Rule 209, SCACR, Respondent proposes that the following be included in the Record on Appeal:

- 1) Summons and Complaint
- 2) Answer
- 3)<sup>1</sup> [See f.n. 1]
- 4) [See f.n. 1]

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**SC Court of Appeals**

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<sup>1</sup>Respondent has filed a Motion to Strike Items 3 and 4 of Appellants' Designation of Matter. For convenience of the parties and the Court, Respondent has left these Items redacted pending the Court's decision on the Motion.

- 5) Order for Reference, dated April 17, 2013
- 6) Order Substituting Plaintiff, dated April 17, 2013
- 7) Notice of Foreclosure Hearing, dated June 21, 2013
- 8) Master's Report and Judgment of Foreclosure and Sale, dated July 29, 2013
- 9) Motion to Reconsider dated August 12, 2013
- 10) Memorandum in Opposition to Defendant's Motion to Reconsider, filed August 22, 2013
- 11) Amended Master's Report and Judgment of Foreclosure and Sale, dated September 5, 2013
- 12) Transcript of foreclosure hearing, July 10, 2013
- 13) Plaintiff's Exhibit 1, Promissory Note
- 14) Plaintiff's Exhibit 2, Mortgage
- 15) Plaintiff's Exhibit 3, Assignment of Leases, Rents and Profits
- 16) Plaintiff's Exhibit 4, Loan Modification Agreement
- 17) Plaintiff's Exhibit 5, Loan Modification Agreement
- 18) Plaintiff's Exhibit 6: Partial Release of Mortgage and Assignment
- 19) Plaintiff's Exhibit 7: Assignment of Debt and Lien

[Remainder of Page left intentionally blank. Certification and signature follows]

**RULE 209 CERTIFICATION**

We certify pursuant to Rule 209(c), SCACR, that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted this 1<sup>st</sup> day of February, 2014.



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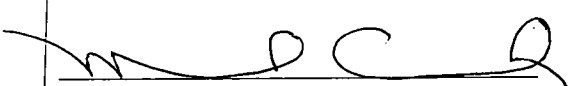
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**PROOF OF SERVICE**

I certify that I have served the Respondent's Initial Brief and Respondent's Designation of Matter on Appellants, by delivering the same via United States Mail, postage prepaid, on February 1, 2014, to its attorney of record Keating L. Simmons, III, Simons & Dean, 147 Wappoo Creek Drive, Suite 604, Charleston, South Carolina 29412.

  
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February 1, 2014  
Charleston, South Carolina