

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

James C. Williams, Circuit Court Judge

Appellate Case No. 2014-000118

John T. Lucas, Sr. as Trustee of the John T. Lucas Revocable Trust and Carolyn
C. Lucas Revocable Trust, Appellant,

v.

The Bristol Condominium Property Owners Association, Respondent,

and

The Bristol Condominium Property Owners Association, Plaintiff,

v.

John T. Lucas St. as Trustee of the John T. Lucas Revocable Trust Dated
November 10, 2004, and Carolyn C. Lucas Revocable Trust Dated November 10,
2004, Defendants/Counterclaim Plaintiffs,

v.

The Bristol Condominium Property Owners Association, Counterclaim
Defendant.

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

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SC Court of Appeals


The appellant proposes the following be included in the Record on Appeal:

1. Complaint filed in *The Bristol Condominiums Property Owners' Association v. Brittlebank Condominiums, LLC., et al.*, 2007-CP-10-0612 dated February 9, 2007;

2. Complaint filed in *Janice L. Landry, et al., v. Brittlebank Condominiums, et al.*, 2007-CP-10-607, dated February 9, 2007;
3. Complaint filed in *Kenneth Hanger, et. al. v. The Beach Company, et. al.*, 2005-CP-10-3029, dated July 26, 2005;
4. Judge Clifford Newman's Order in *The Bristol Condominiums Property Owners' Association v. Brittlebank Condominiums, et al.*, 2007-CP-10-0612, dated March 10, 2009;
5. Amended Complaint filed April 4, 2011;
6. Foreclosure action filed March 25, 2011;
7. Answer and Counterclaim in Foreclosure action filed May 9, 2011;
8. Motion for Summary Judgment on June 30, 2011;
9. Form 4 entered by Judge J.C. Nicholson on February 18, 2014 documenting hearing on August 16, 2012;
10. Transcript of Proceedings of May 22, 2013 and May 23, 2013;
11. Judge James C. Williams, Jr.'s Order filed August 19, 2013;
12. Judge James C. William's Notice of Entry of Judgment mailed to parties on August 6, 2012;
13. Judge James C. Williams, Jr.'s Order denying New Trial filed December 2, 2013;
14. Judge James C. William's Notice of Entry of Order mailed to parties on December 3, 2012;
15. Master Deed filed August 26, 2002;
16. Fourth Amendment to the Master Deed filed April 23, 2007;
17. Deposition Transcript, Cindy Mulcare pp. 14, 29, 30, 32, 33, 36, 37, 51, 52, 74, 75;
18. Deposition Transcript, Jan Landry pp. 56, 69, 70;
19. Deposition Transcript Cont., Jan Landry pp. 11, 52, 53, 71, 74;
20. Deposition Transcript, Dave Landry pp. 69;
21. Jan Landry's email to Lona Vest dated June 28, 2007;
22. Deposition Transcript, Johan Prins pp. 25, 26, 55, 62;
23. Deposition Transcript, David Warner pp. 78, 152, 159, 190, 191, 192, 193, 204;
24. Deposition Transcript, Ken Hanger pp. 23, 43, 44;
25. Bristol Construction Defect Litigation Cost Projection Exhibit dated February 19, 2008;
26. Letter from Cindy Mulcare to the Bristol Property Owners Association dated February 27, 2007;
27. Letter from Jan Landry to Homeowners dated March 26, 2007;
28. Deposition Transcript, Harold Campbell, pp. 51, 62, 79;
29. Lucas's Motion to Amend or Alter and Motion for New Trial, dated September 5, 2013.

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

February 26, 2014



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PROOF OF SERVICE

I certify that I have served Designation of Matter to be included in the Record on Appeal on The Bristol Condominium Property Owners Association by Federal Express, postage prepaid, on February 26, 2014, addressed to its attorneys of record, David B. Wheeler and Joseph T. Belton, Post Office Box 22828, Charleston, South Carolina 29413 and K. Michael Barfield and M. Dawes Cook, Post Office Drawer H, Charleston, South Carolina 29402.

(Signature on separate page)

February 26, 2014



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Attorney for Appellant

February 26, 2014

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: John T. Lucas v. The Bristol Condominium
Appellate Case No.: 2014-000118

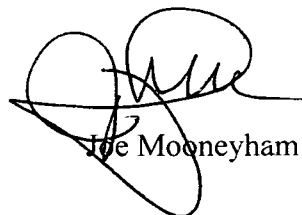
Dear Madame Clerk:

Enclosed for filing, please find Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal dated February 26, 2014 regarding the above-referenced matter. Additionally, please find the corresponding proof of services for Appellant's Initial Brief and Designation of Matter to be included in the Record on Appeal.

Please return a clocked copy of our Initial Brief and Designation of Matter to be Included in the Record on Appeal in the provided stamped envelope, or contact me if you have questions or concerns.

Under separate cover, I served Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal on David B. Wheeler, Joseph T. Belton, K. Michael Barfield and M. Dawes Cook.

Sincerely,


Joe Mooneyham

JAM/CRH
Enclosures

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