

**THE STATE OF SOUTH CAROLINA**  
In the Court of Appeals

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**APPEAL FROM CHARLESTON COUNTY**  
Court of Common Pleas for the Ninth Circuit

J.C. Nicholson, Jr. Circuit Court Judge

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**Case No.: 2011-CP-10-5774**

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Pavilion Development Corp. & Larry McNair,  
Appellants,

v.

Nexsen Pruet, LLC, Defendant

v.

DC & Sons, LLC, Counterclaim Defendant,  
Of Whom Nexsen Pruet, LLC is the Respondent.

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MAR 25 2014

**SC Court of Appeals**

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APPELLANTS' DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL

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ATTORNEYS FOR APPELLANT

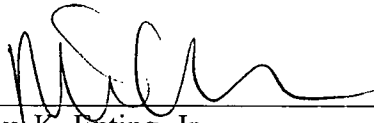
Appellants propose the following be included in the Record on Appeal:

1. Legal Malpractice Complaint and Exhibits dated August 16, 2011 and discovery served with Complaint
2. Notice of Appeal from the Order of the Honorable J.C. Nicholson, Jr.
3. October 9, 2013 Order of the Honorable J.C. Nicholson, Jr. granting Nexsen Pruet's Motion for Summary Judgment
4. Transcript of the March 13, 2013 hearing on Nexsen Pruet's Motion for Summary Judgment
5. Appellants Motion to Reconsider dated October 23, 2013
6. November 25, 2013 Order of the Honorable J. C. Nicholson Jr. Denying Appellants' Motion to Reconsider
7. Appellants' Answers to Requests to Admit
8. April 9, 2007 Complaint filed by Nexsen Pruet in underlying case and lis pendens
9. August 14, 2008 Complaint/Counterclaim against Pavilion in underlying case
10. August 15, 2008 Amend Complaint of Pavilion in underlying case
11. March 23, 2009 Order of the Honorable Roger M. Young in underlying case
12. January 14, 2011 Pre-trial brief of DC & Sons in underlying case
13. January 18, 2011 Order of the Honorable Roger M. Young granting DC & Sons' Renewed Motion for Summary Judgment in the underlying case
14. January 18, 2011 Form Four Order of the Honorable Roger M. Young and attachments in underlying case
15. January 18, 2011 Transcript of Hearing Before Judge Young in underlying case
16. March 21, 2013 Transcript of Hearing Before the Honorable Roger M. Young

I certify that the Appellants' designation of matter contains no matter which is irrelevant to this appeal.

Respectfully Submitted By:

ANDREW K. EPTING, JR., LLC

By  \_\_\_\_\_  
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Dated this 21 day of March, 2014  
Charleston, South Carolina

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**PROOF OF SERVICE**

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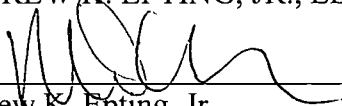
I certify that I have served the appellant's initial brief and designation of matter to be included in the record on appeal on respondent by delivering a copy via regular U.S. Mail on March 21, 2014, addressed to their attorneys of record as follows:

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