

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

John M. Milling, Special Referee

Case No: 2013-001281

Harleysville Group Insurance, a Pennsylvania
Corporation, Appellant/Respondent

v.

Heritage Communities, Inc., A South Carolina Corporation;
Heritage Magnolia North, Inc., A South Carolina Corporation;
Buildstar Corporation, A South Carolina Corporation,
Magnolia North Horizontal Property Regime, Magnolia North
Property Owners Association, Inc., A South Carolina
Corporation, and National Surety Corp., Defendants,

Of whom Heritage Communitites, Inc., a South Carolina
Corporation; Heritage Magnolia North, Inc., a South
Carolina Corporation, Buildstar Corporation, a South Carolina
Corporation and National Surety Corp. are Respondents,

And Magnolia North Horizontal Property Regime,
Magnolia North Property Owners Association, Inc.,
a South Carolina Corporation are Respondents/Appellants.

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RESPONDENT'S AMENDED
DESIGNATION OF MATTER FOR THE RECORD
ON APPEAL FOR RESPONDENTS/APPELLANTS

Pursuant to Rule 209, SCACR, Respondents/Appellants Magnolia North Horizontal Property
Regime, Magnolia North Property Owners Association, Inc., a South Carolina Corporation
("Respondents/Appellants") designate the following material for inclusion in the record on appeal.

Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that the designation contains no matter which is irrelevant to the appeal:

ORDERS

1. Order of Reference appointing the Honorable John M. Milling as Special Referee, October 21, 2010.
2. Special Referee's Order denying Harleysville's Motion for Directed Verdict or Declaratory Judgment, February 21, 2013.
3. Special Referee's Order disposing of case, February 28, 2013.
4. Special Referee's Order denying Motions to Alter or Amend, April 22, 2013.

PLEADINGS

5. Harleysville's Declaratory Judgment Complaint, December 10, 2009.
6. Answer and Counterclaim of Magnolia North Property Owners Association, Inc., et al., December 17, 2009.
7. Harleysville's Reply to Counterclaim, January 4, 2010.

TRANSCRIPTS

8. Trial Transcript of December 13-14, 2010.
9. Hearing Transcript of December 9, 2011.
10. Hearing Transcript of April 9, 2013.
11. Riverwalk Transcript, January 5-15, 2009, pages 854-857.

EXHIBITS

12. Ex. 6: Trial Transcript of Underlying Liability Action, May 11-20, 2009, pages 206-210, 229, 237-238, 764, 842, 894, 1295, 1298.
13. Ex. 6: Trial Transcript of Underlying Liability Action, May 19, 2009, pages 6-14, 27, 156-157.

14. Ex. 6: Transcript of Deposition of Mr. Gwyn Hardister, April 15, 2009 (played in underlying trial).
15. Eighth Amended Complaint in Underlying Liability Action, February 24, 2009.
16. Ex. 11: Transcript of Deposition of Mr. Lee Wright, August 3, 2010.
17. Ex. 12: Commercial General Insurance Policies issued by Harleysville to insureds relevant to this action.
18. Ex. 14: Fourth Amended 30(b)(6) Notice of Deposition of Harleysville Ins. Group, August 6, 2010.
19. Harleysville's Answers to Defendant's Supplemental Interrogatories and Requests to produce, September 28, 2010.
20. Harleysville's Second Amended Answers to Defendants Requests for Admission, October 7, 2010.
21. Harleysville's Amended Answers to Interrogatories, October 15, 2010.
22. Harleysville's Responses to Defendant's First Requests to Admit and Supplemental Interrogatories, February 17, 2010.
23. Ex. 15: Harleysville's Reservation of Rights Letter to insureds.
24. Ex. 17: Harleysville's chart regarding policies, limits, and aggregate remaining.
25. Ex. 19: Four Policy Forms.
26. Ex. 25: Underlying verdict form (property regime and property owners' association), May 20, 2009.

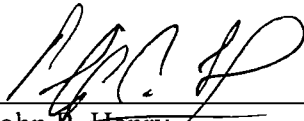
MISCELLANEOUS AND MOTIONS

27. Harleysville's Motion for Judgment as a Matter of Law and Directed Verdict, September 12, 2012.
28. Harleysville's Proposed Order, Submitted as a memorandum of law in support of its Motion for Judgment as a Matter of Law and Directed Verdict. September 12, 2012.
29. Motion of Magnolia North, et. al. to Alter or Amend, March 20, 2013.

30. Harleysville's Motion to Alter or Amend, March 21, 2013.

THOMPSON & HENRY, P.A.

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April 25, 2014