

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM THE BERKELEY COUNTY COURT OF COMMON PLEAS
Roger M. Young, Circuit Court Judge
Case No. 2010-CP-08-1771

Appellate Case No. 2014-000183

North Pleasant, LLC and Vanguard Development Group, LLC, Appellants

vs.

South Carolina Coastal Conservation League and Edward Dana Beach, Respondents

**APPELLANTS' NORTH PLEASANT, LLC AND VANGUARD DEVELOPMENT
GROUP, LLC, DESIGNATION OF MATTERS TO BE INCLUDED IN THE
RECORD ON APPEAL**

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Other Counsel of Record:

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Charleston, SC 29413
**Attorneys for South Carolina Coastal
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DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

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

1. Order of July 20, 2011;
2. Order of December 18, 2012;
3. Order of March 4, 2013;
4. Order of January 17, 2014;
5. Complaint
6. Answer and Counterclaim
7. Reply to Counterclaim
8. Transcript of proceedings: pp. 1-3; 57-93; 103-104; 119, 130-181; 207-211; 223-255; 263-269; 270-278; 279-291; 295-296; 301-311; 341-395;
9. Plaintiffs' Deposition Designations;
10. Defendants' Counter Deposition Designations;
11. Defendants' Deposition Designations;
12. Portions of Deposition Testimony Read into the Record:
 - a. Daniel Burns: pp. 6:14-16; 7: 4-19; 9: 10- p. 12: 1; 12: 2-13: 22; 14: 20- p. 15: 23; 16: 10- p. 18:4; 19: 6 – p. 20;
 - b. Megan Desrosiers: pp. 4: 15 – p. 5: 8; 22: 21 – 23; 23: 18 – 24; 40: 14 – 41: 21; 47: 12 – 23; 51: 8 – p. 52: 6; 53: 1 – p. 54: 8; 62: 20 – p. 63: 6; 64: 22 – p. 65: 21; 67: 3 – 16; 68: 12 – 25; 71: 6 – p. 73: 3; 74: 18 – p. 75: 10; 114: 12 – p. 115: 14;
 - c. Mitchell Flannery: pp. 4: 16 – p. 5: 14; 6: 4 – p. 8: 12; 8: 15 – p. 11: 2;

d. Robert Pittinger: pp. 5: 7-18; 8: 13 –p. 10: 4; 12:1-10; 10: 19-23; 14: 17-
p. 15:21; 18: 22- p. 19: 7; 26: 5-21; 43: 15-p. 44: 7; 46: 18- p. 49:25; 51: 23 – p. 52: 13;
54: 21 – p. 57: 5; 58: 4 – p. 59: 11; 69: 17 – p. 72: 21; 75: 15 – p. 76: 16; 77: 1-23; 94: 19
– p. 95: 8; 102: 21 – p. 103: 9; 106: 3-8; 113: 19 – p. 114: 2;

13. Plaintiffs Exhibits: 2, 4, 5, 13, 27, and 32;
14. Defendants' Motion for Partial Summary Judgment;
15. Defendants' Memorandum in Support of its Motion for Partial Summary Judgment;
16. Affidavit of Edward D. Beach in Support of Defendants' Motion for Partial Summary Judgment;
17. Plaintiffs' Memorandum in Opposition to Motion for Partial Summary Judgment;
18. Plaintiffs' Materials in Opposition to Defendants' Motion for Partial Summary Judgment;
19. Defendants' Motion for Summary Judgment;
20. Plaintiffs' Memorandum in Opposition to Defendants' Motion for Summary Judgment and the following Exhibits thereto: 1; 2; 4; 6; 7; 8; 9; 10; 11; 12; 13; 14; 15; 17; 18; 19; and 22;
21. Defendants' Motion to Alter or Amend (as to Order of December 18, 2012);
22. Plaintiffs' Motion to Alter or Amend (as to Directed Verdict).

Respectfully Submitted By:



Stan Barnett
SMITH, BUNDY, BYBEE & BARNETT, PC
Post Office Box 1542
Mount Pleasant, SC 29465-1542
(843)881-1623
Attorneys for Appellants, North Pleasant, LLC and
Vanguard Development Group, LLC

On this 9th day of May, 2014
Mt. Pleasant, South Carolina

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Roger M. Young, Circuit Court Judge
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North Pleasant, LLC and Vanguard Development Group, LLC, Appellants

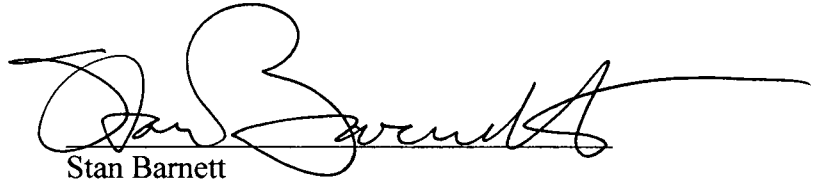
vs.

South Carolina Coastal Conservation League and Edward Dana Beach, Respondents

CERTIFICATE OF COUNSEL

I certify that Appellants' North Pleasant LLC and Vanguard Development Group, LLC designation of matter contains no matter of which is irrelevant to this appeal.

Respectfully Submitted By:



Stan Barnett
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Post Office Box 1542
Mount Pleasant, SC 29465-1542
(843)881-1623
Attorneys for Appellants, North Pleasant, LLC and
Vanguard Development Group, LLC

On this 9th day of May, 2014
Mt. Pleasant, South Carolina

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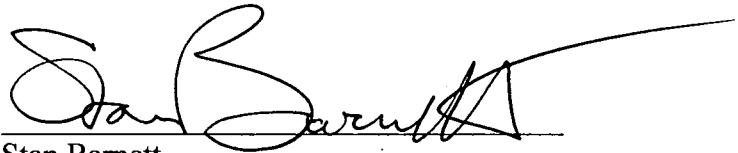
vs.

South Carolina Coastal Conservation League and Edward Dana Beach, Respondents

PROOF OF SERVICE

I certify that I have served the Appellants' Initial Brief and Designation of Matters to be included in the Record on Appeal on the Respondents by depositing a copy of it in the United States Mail, Postage prepaid, on May 9, 2014, addressed to their attorneys of record as follows:

G. Trenholm Walker, Esquire
W. Andrew Gowder, Jr., Esquire
Pratt-Thomas Walker, P.A.
Post Office Drawer 22247
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M. BRENT MCDONALD

May 9, 2014

VIA FEDERAL EXPRESS

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

Re: North Pleasant, LLC and Vanguard Development Group, LLC vs. South Carolina
Coastal Conservation League and Edward Dana Beach.
Appellate Case No.: 2014-000183

Dear Ms. Kitchings:

Enclosed please find the Initial Brief of Appellants, North Pleasant, LLC and Vanguard Development Group, LLC as well as Appellants Designation of Matter to be included in the Record on Appeal, Certification of Counsel and Proof of Service in the above referenced matter.

In the event you have any questions, please do not hesitate to give me a call.

With kindest personal regards, I remain

Sincerely,



Stanley E. Barnett
P.O. Box 1542
Mt. Pleasant, South Carolina 29465
(843) 881-1623
Attorney for Appellate/Respondent
SC Bar # 533

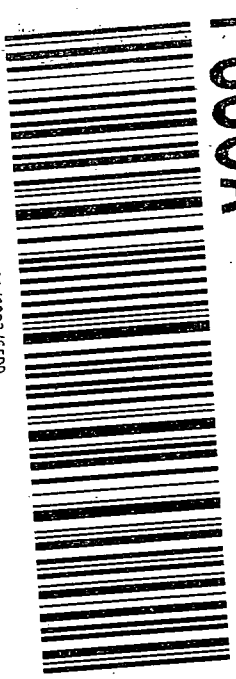
cc: G. Trenholm Walker, Esquire
W. Andrew Gowder, Jr., Esquire
Charles E. Reynolds, Esquire

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