

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Case No. 2011-CP-10-2444

Stow Away Storage, LLC,.....Respondent

vs.

George W. Sisson, 4.0, LLC, The Sisson Foundation Limited
Partnership, Sweetgrass Hardware, Inc., and Timarand, Inc., Defendants

Of whom George W. Sisson, 4.0, LLC, The Sisson Foundation Limited
Partnership, and Sweetgrass Hardware, Inc., are the.....Appellants.

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

May 28, 2014

G. Hamlin O'Kelley, III
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Maria Kiehling Brees
S.C. Bar No. 76799
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Attorneys for the Appellants
George W. Sisson, 4.0, LLC,
The Sisson Foundation Limited
Partnership, and Sweetgrass
Hardware, Inc.

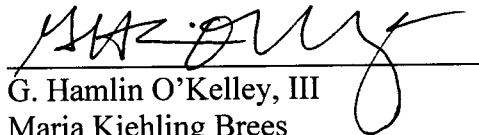
The Appellants propose the following items to be included in the Record on Appeal:

1. Order of the Honorable Kristi Harrington, dated August 16, 2011;
2. Order of the Honorable Kristi Harrington, dated November 27, 2012;
3. Order of the Honorable Kristi Harrington, dated January 22, 2013;
4. Order of the Honorable R. Markley Dennis, dated February 21, 2013;
5. Order of the Honorable J.C. Nicholson, Jr., dated November 22, 2013;
6. Order of the Honorable J.C. Nicholson, Jr., dated December 10, 2013;
7. Summons and Complaint dated April 4, 2011;
8. Answer and Counterclaim of the Defendants George W. Sisson, 4.0, LLC, The Sisson Foundation Limited Partnership and Sweetgrass Hardware, Inc., dated April 29, 2011;
9. Plaintiff's Reply to Counterclaim dated May 27, 2011;
10. Affidavit of Default and Motion for Judgment as to Defendant Timarand, Inc., dated August 9, 2011;
11. Answer and Counterclaim of the Defendant Timarand, Inc., dated August 16, 2011;
12. Motion to Reconsider and Motion to Lift Default Judgment as to Timarand, Inc., dated August 31, 2011;
13. Plaintiff's Motion for Temporary Injunction and for Partial Summary Judgment and Permanent Injunction, dated October 25, 2012;
14. Affidavit of George W. Sisson, dated February 6, 2013;
15. Affidavit of Frank R. Fletcher, dated February 6, 2013;
16. Memorandum in Support of Plaintiff's Motion for Temporary Injunction and Motion for Partial Summary Judgment and Permanent Injunction, dated February 7, 2013;
17. Defendants' Motion for Summary Judgment, dated August 1, 2013;
18. Defendants' Motion to Reconsider Pursuant to Rule 59(e) SCRCF, dated December 4, 2013;
19. Notice of Appeal, dated January 14, 2014;
20. Plaintiff's Responses to the Defendants' Requests for Admission, dated June 7, 2011;
21. Plaintiff's Answers to the Defendants' First Interrogatories and Responses to the Defendants' First Requests for Production, dated July 13, 2012;
22. Document Production from the Charleston County Sheriff's Office Pursuant to the Freedom of Information Act Request, dated May 11, 2011;
23. Document Production from the South Carolina Department of Transportation Pursuant to the Freedom of Information Act Request, dated May 11, 2011;
24. Document Production from the Town of Mount Pleasant Pursuant to the Freedom of Information Act request, dated July 5, 2011;
25. Correspondence from South Carolina Department of Transportation, dated August 5, 1999;
26. Correspondence from E.L. Pooser, III to George Sisson, dated March 21, 2000;
27. Permit Approval from the South Carolina Department of Transportation, dated March 29, 2000;

28. Access Easement and Abandonment of Encroachment Permit, dated October 17, 2000;
29. Correspondence from Richard L. Turner, SCDOT, to E.L. Pooser, Jr., dated June 20, 2008;
30. Correspondence from G. Dana Sinkler, Esq. to Sweetgrass Hardware, Inc., dated August 20, 2008;
31. Correspondence from Gray B. Taylor, Esq. to G. Dana Sinkler, Esq., dated November 10, 2008;
32. License Agreement, dated November 13, 2008;
33. Correspondence from the South Carolina Department of Transportation, dated March 10, 2009;
34. Correspondence from the South Carolina Department of Transportation to Pooser and Sisson, dated June 19, 2009;
35. Aerial Photos of Intersection from August 14, 2013 trial proceedings;
36. Plat recorded in Plat Book EA at Page 742 in the RMC Office for Charleston County;
37. Plat recorded in Plat Book CD at Page 139 in the RMC Office for Charleston County;
38. CD and Video Surveillance Report from Allison Walshe dated April 20, 2013 and July 13, 2013;
39. Photograph of view from office of Stow Away Storage looking towards Highway 17, dated September 12, 2011 from Allison Walshe;
40. Photograph of view from office of Stow Away Storage looking towards Highway 17, dated September 13, 2012 from Allison Walshe;
41. Photographs from Frank Fletcher of the primary entrance going in to Sisson Scale and Sweetgrass Hardware down south Highway 17 and on the back side of Stow Away Storage showing the termination of the proposed Porchers Bluff extension;
42. Transcript of the August 14, 2013 trial proceedings.

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

Respectfully submitted



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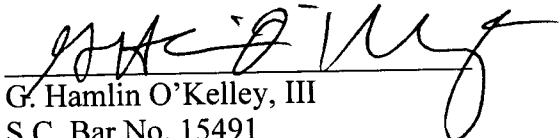
of Whom

George W. Sisson, 4.0, LLC, The Sisson Foundation Limited
Partnership, and Sweetgrass Hardware, Inc., are.....Appellants.

PROOF OF SERVICE

I certify that I have served the Appellants' Designation of Matters to be Included in the Record on Appeal by depositing a copy of the same in the U.S. Mail, postage prepaid, on May 28, 2014, addressed to its attorney of record, G. Dana Sinkler, Esq. at Warren & Sinkler, LLP, P.O. Box 1254, Charleston, South Carolina 29402.

May 28, 2014


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JUN 02 2014

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