

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Clifton B. Newman, Circuit Court Judge

Case No.: 2011-CP-23-63768

Kevin McCarthy and Courtney E. McCarthy,.....Appellants,

v.

Keowee Falls Investment Group, LLC, The Cliffs Communities, LLC d/b/a The Cliffs at Keowee Falls South, Cliffs real Estate, Inc., The Cliffs Golf and Country Club, Inc., and S&ME, Inc.

Of Which

S&ME, Inc., is.....Respondent.

DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL

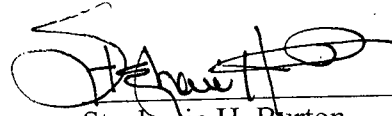
Respondent proposes the following be included in the Record on Appeal:

1. Harrell Complaint filed on August 8, 2011 with attached exhibits;
2. McCarthy Complaint filed on September 27, 2011 with attached exhibits;
3. Answer of Defendant dated November 7, 2011;
4. Scheduling Order dated July 9, 2012;
5. McCollum Complaint filed on January 4, 2013;
6. Affidavit of Walker Birdsong dated January 14, 2013 with attached Exhibit A;
7. Defendant's Motion for Summary Judgment dated January 15, 2013;
8. Plaintiffs' Motion to Amend the Complaint dated March 20, 2013;
9. Exhibit B to Plaintiffs' Memorandum in Opposition to Defendant's Motion for Summary Judgment;
10. Exhibit C to Plaintiffs' Memorandum in Opposition to Defendant's Motion for Summary Judgment;

11. Exhibit D to Plaintiffs' Memorandum in Opposition to Defendant's Motion for Summary Judgment;
12. Exhibit F to Plaintiffs' Memorandum in Opposition to Defendant's Motion for Summary Judgment;
13. Exhibit G to Plaintiffs' Memorandum in Opposition to Defendant's Motion for Summary Judgment;
14. Exhibit H to Plaintiffs' Memorandum in Opposition to Defendant's Motion for Summary Judgment;
15. Exhibit L to Plaintiffs' Memorandum in Opposition to Defendant's Motion for Summary Judgment;
16. Exhibit Z to Plaintiffs' Memorandum in Opposition to Defendant's Motion for Summary Judgment;
17. Excerpts from the deposition of Roger Moore with attached Exhibit 2 attached to Defendant's Memorandum in Support of its Motion for Summary Judgment;
18. Excerpts from the deposition of Bill Mathews attached to Defendant's Memorandum in Support of its Motion for Summary Judgment;
19. Excerpts from the deposition of Doug Chappell with attached Exhibit 4 attached to Defendant's Memorandum in Support of its Motion for Summary Judgment;
20. Excerpts from the deposition of Kevin McCarthy with attached Exhibits 3, 9, and 10 attached to Defendant's Memorandum in Support of its Motion for Summary Judgment;
21. Excerpts from the deposition of Courtney McCarthy with attached Exhibit 20 attached to Defendant's Memorandum in Support of its Motion for Summary Judgment;
22. Transcript of Hearing of May 3, 2013;
23. Order dated July 9, 2013;
24. Order dated July 15, 2013;
25. Plaintiffs' Motion to Alter or Amend the Order granting Defendant's Motion for Summary Judgment filed August 2, 2013;
26. Notice of Appeal dated August 22, 2013;
27. Order dated November 25, 2013;
28. Notice of Appeal dated December 9, 2013;
29. Appellants' Motion to Consolidate Appeals dated December 9, 2013;
30. Consolidation Letter dated December 18, 2013;
31. Excerpts from the deposition of Kevin McCarthy pp. 12, 17, 20, 25-26, 60-62, 68, 73, 89;
32. Excerpts from the deposition of Carroll L. Crowther pp. 55-57;
33. Deed, Oconee County Register of Deeds Bk. 1256 p. 257;
34. Verdict Form and Form 4 for Harrell Case filed on February 17, 2014.

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

June 4, 2014



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