

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

G Thomas Cooper, Jr ,
Circuit Court Judge

Appellate Case No 2014-000377

DRV FONTAINE, LLC,

Appellee

v

FONTAINE BUSINESS PARK, LLC, et al ,

Appellants

**DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL**

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Attorneys for Fontaine Business Park 2-31, LLC

The Appellants designate the following matters from the transcripts, pleadings, orders, exhibits, and other materials to be included in the appellate record, pursuant to S C A C R 209

1 Complaint filed by DRV Fontaine, LLC on November 20, 2011, and the related exhibits that are referred to in the Initial Brief of Appellants on pages 10 and 19

2 Motion for Appointment of Receiver, filed November 21, 2011

3 Motion for Order of Reference, filed November 21, 2011

4 Answer, Affirmative Defenses, and Counterclaims of Fontaine Business Park, LLC, filed December 3, 2011

5 Response in Opposition to the Motion for Order of Reference, filed on or about December 5, 2012

6 Response in Opposition to the Motion for Appointment of Receiver, filed on or about December 5, 2012

7 Notice of Motion Scheduling for the Motion for Appointment of Receiver, dated January 4, 2013

8 Notice of Motion Scheduling for the Motion for Order of Reference, dated January 4, 2013

9 Plaintiff's Reply to Affirmative Defenses and Counterclaims of Defendant Fontaine Business Park, LLC, filed on or about January 7, 2013

10 Answer and Counterclaims for Defendants Fontaine Business Park 2-31, filed on or about January 8, 2013

11 Motion for Leave to File Supplemental Pleading, filed on January 11, 2012

12 Supplemental Pleading filed on or about February 21, 2013

13 Transcript of the Hearing on the Motion for Appointment of Receiver and Motion for Order of Reference

14 Order Granting Appointment of Receiver, filed June 4, 2013

15 Defendant Fontaine Business Park, LLC's Rule 59(e) Motion to Alter or Amend, filed June 19, 2013

16 Defendant Fontaine Business Park, LLC's Memorandum of Facts and Law in Support of Defendant's Rule 59(e) Motion to Alter or Amend, filed June 19, 2013

17 Order Denying Defendant Fontaine Business Park, LLC's Rule 59(e) Motion to Alter or Amend, filed September 23, 2013

18 Plaintiff's Motion to Strike Jury Trial Demand of Defendants, filed August 7, 2013, and the related exhibits that are referred to in the Initial Brief of Appellants on page 10

19 Transcript of the Deposition of Paula Mathews, dated September 19, 2013, and exhibits that are referred to in the Initial Brief of Appellants on pages 15 and 16

20 Transcript of the Deposition of Elliott Liffman, dated September 20, 2013, and exhibits that are referred to in the Initial Brief of Appellants on pages 13, 15 and 16

21 Memorandum in Opposition to Plaintiff's Motion to Strike Jury Demand, filed on or about January 8, 2014, and the related exhibits that are referred to in the Initial Brief of Appellants on pages 12, 13 and 14

22 Notice of Motion Scheduling for the Motion to Strike Jury Trial Demand of Defendants dated December 18, 2013

23 Transcript of the Hearing on the Motion to Strike Jury Trial Demand, on January 13, 2014

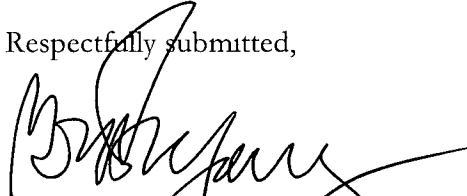
24 Order Granting Plaintiff's Motion to Strike Jury Trial Demand, filed January 27, 2014

25 Notice of Appeal, filed February 27, 2014

26 Specific portions of Plaintiff's Responses to Written Discovery that are referred to in the Initial Brief of Appellants on pages 14 and 22


We certify to the best of our knowledge, information and belief that this Designation contains no matter which may be irrelevant to the instant appeal

Respectfully submitted,



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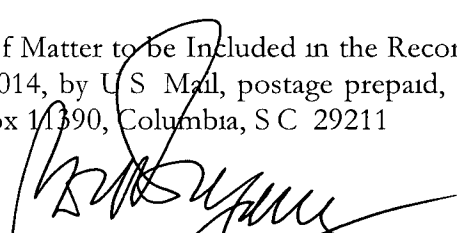
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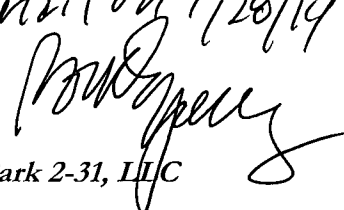
PROOF OF SERVICE

We certify that a copy of the Designation of Matter to be Included in the Record on Appeal was served on the opposing party on August 1, 2014, by U S Mail, postage prepaid, addressed to Appellee's Counsel of Record, Paul Harrill, P O Box 11390, Columbia, S C 29211

This 1ST day of August, 2014


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