

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas for the Ninth Circuit

J.C. Nicholson, Jr. Circuit Court Judge

Case No.: 2011-CP-10-5774

Pavilion Development Corp. & Larry McNair,
Appellants,

v.

Nexsen Pruet, LLC, Defendant

v.

DC & Sons, LLC, Counterclaim Defendant,
Of Whom Nexsen Pruet, LLC is the Respondent.

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

Andrew K. Epting, Jr., Esquire
Michelle N. Endemann, Esquire
ANDREW K. EPTING, JR., LLC
46a State Street, Charleston, SC 29401
Phone: (843) 377-1871; Fax: (843) 377-1310

George J. Kefalos, Esquire
Oana D. Johnson, Esquire
GEORGE J. KEFALOS, PA
46A State Street, Charleston, SC 29401
Phone: (843) 722-6612; Fax: (843) 377-1310

ATTORNEYS FOR APPELLANT

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Appellants propose the following be included in the Record on Appeal:


1. Legal Malpractice Complaint and Exhibits dated August 16, 2011 and discovery served with Complaint
2. Notice of Appeal from the Order of the Honorable J.C. Nicholson, Jr.
3. October 9, 2013 Order of the Honorable J.C. Nicholson, Jr. granting Nexsen Pruet's Motion for Summary Judgment
4. Transcript of the March 13, 2013 hearing on Nexsen Pruet's Motion for Summary Judgment
5. Appellants Motion to Reconsider dated October 23, 2013
6. November 25, 2013 Order of the Honorable J. C. Nicholson Jr. Denying Appellants' Motion to Reconsider
7. Appellants' Answers to Requests to Admit
8. March 23, 2009 Order of the Honorable Roger M. Young in underlying case
9. January 14, 2011 Pre-trial brief of DC & Sons in underlying case
10. January 18, 2011 Order of the Honorable Roger M. Young granting DC & Sons' Renewed Motion for Summary Judgment in the underlying case
11. January 18, 2011 Form Four Order of the Honorable Roger M. Young and attachments in underlying case
12. January 18, 2011 Transcript of Hearing Before Judge Young in underlying case
13. March 21, 2013 Transcript of Hearing Before the Honorable Roger M. Young

I certify that the Appellants' designation of matter contains no matter which is irrelevant to this appeal.

[signature on following page]

Respectfully Submitted By:

ANDREW K. EPTING, JR., LLC

By _____

Andrew K. Epting, Jr.

Michelle N. Endemann

46A State Street, Charleston, SC 29401

Phone: 843-377-1871; Fax: 843-377-1310

George J. Kefalos, Esquire

Oana D. Johnson, Esquire

GEORGE J. KEFALOS, PA

46A State Street, Charleston, SC 29401

Phone: 843-722-6612; Fax: 843-377-1310

Attorneys for Appellants

Dated this 29 day of July, 2014
Charleston, South Carolina

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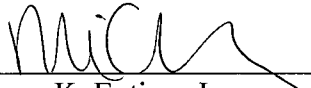
PROOF OF SERVICE

I certify that I have served the appellant's amended designation of matter to be included in the record on appeal on respondent by delivering a copy via regular U.S. Mail on July 29, 2014, addressed to their attorneys of record as follows:

Elizabeth Van Doren Gray, Esquire
Tina M. Cundari
Sowell Gray Stepp & Laffitte, LLC
P.O. Box 11449
Columbia, SC 29211

Attorneys for Respondent Nexsen Pruet

ANDREW K. EPTING, JR., LLC

By  _____

Andrew K. Epting, Jr.

Michelle N. Endemann

46A State Street, Charleston, SC 29401

843-377-1871; Fax: 843-377-1310

Attorneys for Appellants

ANDREW K. EPTING, JR., L.L.C.
ATTORNEYS AT LAW

July 29, 2014

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
PO Box 11629
Columbia, South Carolina 29211

Re: Pavilion Development Corp. & Larry McNair, Appellants v. Nexsen Pruet, LLC
v. DC & Sons, LLC, of whom Nexsen Pruet, LLC is the Respondent
Appellate Case No.: 2013-002796

Dear Ms. Kitchings:

Enclosed please find the original and one copy of the Appellants' Amended Designation of Matter to be Included in the Record on Appeal in the above-referenced matter. I would greatly appreciate your filing the original and returning the file-stamped copy to me in the self-addressed, stamped envelope provided.

With kindest regards,

ANDREW K. EPTING, JR., LLC



Michelle N. Endemann

MNE/agg

Enclosures – as stated

cc: Tina Cundari, Esquire
Elizabeth V. Gray, Esquire

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Andrew K. Epting, Jr. · ake@epting-law.com
Michelle N. Endemann · mne@epting-law.com
46A State Street · Charleston · South Carolina · 29401
Phone: (843) 377-1871 · Fax: (843) 377-1310

ANDREW K. EPTING, JR., LLC

ATTORNEYS AT LAW

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The Honorable Jenny Abbott Kitchings
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