

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LAURENS COUNTY
Court of Common Pleas

The Honorable Charles B. Simmons, Special Referee

Case No. 2011-CP-30-00583

Certus Bank, N.A.....Appellant,

v.

Kenneth E. Bennett, Twin Rivers Resort, LLC and
Bennett of Greenwood, LLC.....Defendants.

Of which Twin Rivers Resort, LLC, is theRespondent.

Appellate Case No. 2014-001248

**RESPONDENT'S DESIGNATION OF MATTER TO BE INCLUDED ON THE
RECORD ON APPEAL**

T. S. Stern, Jr. (S.C. Bar # 5337)
V. Elizabeth Wright (S.C. Bar #76032)
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STERN & LEWIS, P.A.
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Attorneys for the Appellant

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SC Court of Appeals

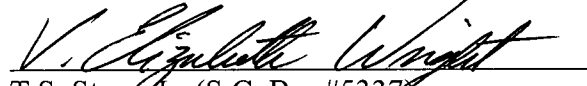
Respondent TRR, LLC requests that the following documents be included in the Record on Appeal.

1. Plaintiff's Complaint.
2. Answer of Twin Rivers Resort, LLC.
3. TRR's motion for summary judgment and memorandum in support including all exhibits.
4. Order of the Honorable Charles B. Simmons, Jr. dated April 14, 2014.
5. Plaintiff's motion to alter or amend.
6. Order of the Honorable Charles B. Simmons, Jr. dated May 12, 2014.
7. Trial transcript, hearing on motion for summary judgment dated April 8, 2014.
8. Plaintiff's Responses to Defendant Twin Rivers' First Request for Admission.
9. November 1, 2007 CommunitySouth mortgage.
10. Closing or HUD statement on November 1, 2007 loan.
11. Deed from JKR, LLC to Bennett of Greenwood dated February 22, 2008.
12. Deed from Bennett of Greenwood to TRR dated September 14, 2010.
13. Deposition of Kenneth Bennett dated February 14, 2013, including exhibits.
14. Deposition of Wade Vincent King, Rule 30(b)(6), dated March 20, 2014, including exhibits.
15. Deposition of Richard Carl Bennett dated November 7, 2012, including exhibits.
16. Plaintiff's Responses to Defendant Twin Rivers Resort's Second Request for Admission.

17. March 12, 2010 letter of Richard C. Bennett, Ex. 10, Deposition of Richard C. Bennett.
18. Report taxes had been paid, Ex. 11, Deposition of Richard C. Bennett.
19. Handwritten notes of Richard C. Bennett, Ex. 12, Deposition of Richard C. Bennett.
20. Richard C. Bennett checks, Exhibits 9, Deposition of Richard C. Bennett and Exhibits 12 and 18, Plaintiff's Memorandum in Opposition to Motion for Summary Judgment.
21. Affidavit of James S. Belk

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

COVINGTON, PATRICK, HAGINS,
STERN & LEWIS, P.A.



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Attorneys for Respondent Brian G. Morin

Greenville, South Carolina
November 10, 2014

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LAURENS COUNTY
Court of Common Pleas

The Honorable Charles B. Simmons, Special Referee

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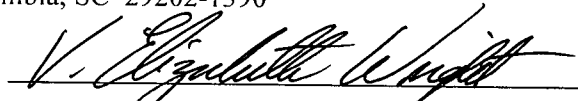
Of which Twin Rivers Resort, LLC, is theRespondent.

Appellate Case No. 2014-001248

PROOF OF SERVICE

I certify that on the 10th day of November, 2014, I served copies of Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal by mailing same, postage prepaid, U.S. Mail, addressed to the following:

Louis H. Lang, Esq.
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November 10, 2014

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: Twin Rivers Resort, LLC, Respondent v. Certus Bank, N.A., Appellant
Appellate Case No.: 2014-001248
Our File No. 13-2861-001

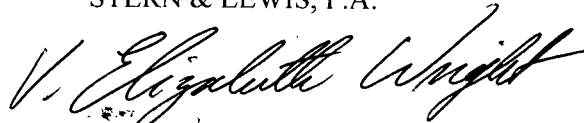
Dear Ms. Kitchings:

Enclosed for filing please find the original and seven copies of the Respondent's Initial Brief, Designation of Matter to be Included in the Record on Appeal and Proof of Service in connection with the above-referenced matter. I would appreciate it if you would return a clocked-in copy to me in the enclosed self-addressed, stamped envelope.

By copy of this correspondence I am serving all counsel of record. Please do not hesitate to contact me if you have any questions or comments.

Very truly yours,

COVINGTON, PATRICK, HAGINS,
STERN & LEWIS, P.A.



V. Elizabeth Wright
Associate Attorney to T.S. Stern, Jr.

VEW

Enclosures

cc: Louis H. Lang, Esq.

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