

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY
Master in Equity

SC Court of Appeals

The Honorable Mikell Scarborough

Appellate Case No. 2014-001323

Bank of America, N.A.,

Respondent,

v.

Johnson D. Koola, First Citizens Bank and Trust Company, Inc.,
f/k/a First Citizens Bank and Trust Company of South Carolina, and
Cambridge Lakes Condominium Homeowners Association, Inc.,
f/k/a Cambridge Lakes Horizontal Property Regime,
Defendants,

Of whom Johnson D. Koola is the

Appellant.

RESPONDENT'S DESIGNATION OF MATTER FOR RECORD ON APPEAL

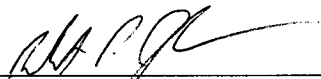
Respondent proposes the following be included in the Record on Appeal:

- A. Note, dated February 20, 2004.
- B. Mortgage, dated February 20, 2004.
- C. Assignment of Mortgage, dated August 17, 2010.
- D. Amended Summons and Complaint, September 1, 2010.
- E. Answer and Counterclaim of Defendant Johnson D. Koola, dated November 29, 2010.
- F. Amended Answer and Counterclaim of Defendant Johnson D. Koola, dated March 24, 2011.
- G. Reply to Defendant's Amended Answer and Counterclaim, dated April 21, 2011.
- H. Notice of Denial, dated May 21, 2012.
- I. Defendant's motion for sanctions, dated August 15, 2012.
- J. Form 4 Order dismissing case pursuant to Rule 41(a), dated September 11, 2013.

- K. Master's Order dismissing case pursuant to Rule 41(a), dated September 11, 2013.
- L. Defendant Johnson D. Koola's motion to reinstate, dated November 18, 2013.
- M. Master's Form 4 Order granting motion to reinstate, dated January 28, 2014.
- N. Defendant's motion in opposition and support of certain motions, dated March 14, 2014.
- O. Master's Form 4 Order granting Plaintiff's motion for summary judgment and denying Defendant's motion for sanctions, signed March 20, 2014, filed March 26, 2014.
- P. Defendant's notice of motion and motion for issuance of findings and conclusions of law, dated April 4, 2014.
- Q. Defendant's notice of motion and motion for reconsideration, dated April 4, 2014.
- R. Master's Order granting Plaintiff's motion for summary judgment and denying Defendant's motion for sanctions, dated April 25, 2014.
- S. Master's Order denying Defendant's Rule 52(a) and Rule 59(e) motions, dated April 29, 2014.
- T. Master's Order denying Defendant's Rule 52(a) and Rule 59(e) motions, dated May 1, 2014.
- U. Defendant's motion to reconsider, dated May 5, 2014.
- V. Master's filing, form 4, reconsideration denied, dated May 7, 2014.
- W. Defendant's Memorandum and Exhibits in Support of Koola's Motion for reconsideration of Master's April 24, 2014 Order, dated May 8, 2014.
- X. Master's Order denying Defendant's motion to reconsider, dated May 9, 2014.
- Y. Defendant's notice of appealing order denying motion to reconsider in the Court of Common Pleas, 9th circuit, dated June 9, 2014.
- Z. Defendant's notice of appealing order recorded May 9, 2014 to the Court of Appeals, dated June 16, 2014.
- AA. Builder's Certification, dated February 17, 2004.
- BB. Plaintiff's First Set of Discovery Requests, dated January 5, 2011.
- CC. Plaintiff's Second Set of Requests for Admission, dated February 14, 2011.
- DD. Answer of Defendant Johnson D. Koola to Plaintiff's Second Set of Requests for Admission, dated March 10, 2011.
- EE. Plaintiff's Responses to Defendant Koola's First Set of Requests for Admission, dated April 27, 2011.
- FF. Plaintiff's Answers to Defendant Johnson D. Koola's First Set of Interrogatories and Plaintiff's Responses to Defendant Johnson D. Koola's First Set of Requests for Production, dated May 13, 2011.
- GG. Answer of Defendant Johnson D. Koola to Plaintiff's Request for Production, (May 26, 2011), dated May 26, 2010.
- HH. Loan Modification Documents from Defendant Johnson D. Koola, dated September 5, 2011.
- II. Defendant Johnson D. Koola's Chapter 7 Bankruptcy Voluntary Petition, dated March 20, 2009.
- JJ. Plaintiff's Memorandum in Support of Plaintiff's Motion for Summary Judgment or Dismissing the Counterclaim of Defendant Koola, dated April 13, 2012.
- KK. Order Granting Motion to Reopen Bankruptcy Case, dated May 22, 2012.
- LL. Letter from Defendant Johnson D. Koola to Plaintiff attorney Dean Hayes titled

'Reference to the administrative order #2011-05-02-01 issued by the Chief Justice of South Carolina on May 2, 2011,' dated July 28, 2011.

- MM. Transcript from hearing on March, 20, 2014.
- NN. Defendant Johnson D. Koola's Discharge from bankruptcy, dated July 13, 2009.
- OO. Payment History of the subject loan.
- PP. Defendant Johnson D. Koola's Discharge from bankruptcy, dated November 6, 2013.
- QQ. Defendant Johnson D. Koola's Motion to Reopen Chapter 7 bankruptcy case, dated April 20, 2012.
- RR. Plaintiff's Summons and Complaint, dated July 27, 2010.
- SS. Order of Reference, dated February 1, 2011.



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November 17, 2014

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Of whom Johnson D. Koola is the

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PROOF OF SERVICE

I certify that I have served the Initial Brief of Respondent on Appellant Johnson D. Koola by depositing a copy of it in the United States Mail, postage prepaid, on November 14, 2014 addressed to Appellants at 462 Common Wealth Road, Mt. Pleasant, South Carolina 29644.



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November 14, 2014